

NC 11 and US 13  
From NC 11/NC 561 near Ahoskie to US 13/US 158/NC 45 near Winton  
Hertford County  
Federal-Aid Project NHF-0013(37)  
WBS Element 45449.1.1  
**TIP Project R-5311**

**ADMINISTRATIVE ACTION**

**FINDING OF NO SIGNIFICANT IMPACT**

U. S. Department of Transportation  
Federal Highway Administration  
And  
N. C. Department of Transportation  
Division of Highways

Submitted pursuant to 42 U. S. C. 4332(2)(C)



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## **PROJECT COMMITMENTS**

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### **Project Development and Environmental Analysis Unit**

- Additional coordination will occur with the State Historic Preservation Office if it is determined during the design phase that full movement access to SR 1131 (Saluda Hall Road) for the National Register-eligible Newsome-Hall House property cannot be provided.

### **Roadway Design Unit**

- No additional right of way or easements will be acquired from the National Register-eligible Newsome-Hall House property.
- A small family cemetery, the Keene Cemetery, was identified along the new location portion of the project, just south of SR 1409 (Hall Siding Road). Its approximate location is identified on Figure 2D. The cemetery lies in close proximity to the proposed right of way. Efforts will be made during final design to avoid the cemetery if possible.

**Finding of No Significant Impact**  
Prepared by AECOM for the  
Project Development and Environmental Analysis Unit of the  
North Carolina Department of Transportation  
In Consultation with  
The Federal Highway Administration

**I. TYPE OF ACTION**

This is a Federal Highway Administration (FHWA) administrative action, Finding of No Significant Impact (FONSI).

The FHWA has determined this project will have no significant impact on the environment. This FONSI is based on the October 31, 2013 Environmental Assessment (EA) and subsequent public involvement and comment. The EA has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the EA.

**II. DESCRIPTION OF PROPOSED ACTION**

**A. Project Description**

The proposed project will make improvements to existing NC 11, SR 1212 (Shortcut Road) and portions of existing US 13 from just south of the NC 11 intersection with NC 561 to the US 13 interchange with US 158 and NC 45, a distance of approximately 7.8 miles (see **Figure 1**). The project has been broken up into two sections for funding purposes:

**Section A:** Construction of an interchange at the existing intersection of NC 11/SR 1212 (Shortcut Road) and SR 1213 (Old NC 11 Road) and construction of a grade separation at SR 1130 (Modlin Hatchery Road)

**Section B:** Remainder of the project from just south of the intersection of NC 11 and NC 561 to the intersection of US 13/US 158/NC 45

**B. Project Purpose & Need**

The purpose of the proposed project is to improve the safety of the NC 11/US 13 corridor between the NC 11/NC 561 intersection and the US 13/US 158/NC 45 intersection in Hertford County.

### **C. Cost Estimates**

The current estimated cost for the proposed project is \$79,091,360, which includes \$1,812,640 for right of way acquisition, \$511,720 for utility relocation, \$6,267,000 for wetland/stream mitigation, and \$70,500,000 for construction. Section A of the project (TIP Project R-5311 A) is included in the current 2016-2025 federally approved North Carolina State Transportation Improvement Program (STIP). Funding for TIP Project R-5311 A in the STIP includes \$360,000 for utility relocation, \$25,000 for right of way acquisition and \$10,850,000 for construction. Funding for TIP Project R-5311 B is not included in the current STIP.

### **D. Project Schedule**

According to the 2016-2025 STIP, utility relocation and mitigation for Section A is scheduled to begin in fiscal year FY 2016, with construction scheduled for FY 2017. Right-of-way and construction for Section B are unfunded and are not scheduled in the 2016-2025 STIP.

## **III. SELECTED ALTERNATIVE**

### **A. Alternatives Studied in Detail**

Along with the no-build alternative, a total of six alternatives were initially considered for this project. Four alternatives were carried forward for detailed study in the EA; these four detailed study alternatives are described below.

#### **Alternative 1 – Freeway (Part New Location)**

This alternative proposes the upgrade of existing NC 11 and SR 1212 (Shortcut Road) to a four-lane freeway from south of NC 561 to US 13. A four-lane roadway on new location would be constructed between SR 1212 (Shortcut Road) at US 13 and existing US 13 at its northern intersection with NC 461. Full control of access is proposed for this new roadway. Existing US 13 will be upgraded to a four-lane freeway from its northern intersection with NC 461 to south of US 158/NC 45. Interchanges will be constructed to replace the intersections of NC 11 with NC 561 and NC 11/SR 1212 (Shortcut Road) with NC 11.

#### **Alternative 3 – Freeway/Expressway (Existing Location)**

This alternative proposes the upgrade of existing NC 11 and SR 1212 (Shortcut Road) to a four-lane freeway from south of NC 561 to US 13. The portion of US 13 from SR 1212 (Shortcut Road) to NC 461 would be widened to four lanes with partial control of access (one driveway per parcel). Existing US 13 would be upgraded to a four-lane freeway between the northern intersection with NC 461 to south of US 158/NC 45. Interchanges would be constructed at NC 11 and NC 561, NC 11/SR 1212 (Shortcut Road) and the northern intersection of US 13 and NC 461.

### **Alternative 5 – Superstreet (Existing Location)**

This alternative proposes the upgrade of NC 11, existing SR 1212 (Shortcut Road), and existing US 13 to a four-lane roadway from south of NC 561 to south of US 158/NC 45. Partial control of access would be obtained along existing US 13 between SR 1212 (Shortcut Road) and the northern intersection with NC 461 since this section of US 13 currently has no control of access. Although an interchange would be constructed at the northern intersection of US 13 and NC 461, a superstreet design would be utilized at the remaining intersections, with the exception of NC 11 and NC 561, which would be an offset or “dog leg” superstreet design.

### **Alternative 6 – Superstreet (Part New Location)**

This alternative proposes the upgrade of existing NC 11 and SR 1212 (Shortcut Road) to a four-lane roadway from south of NC 561 to US 13. A four-lane roadway on new location would be constructed between SR 1212 (Shortcut Road) at US 13 and the northern intersection of US 13 at NC 461, which would be grade-separated. Full control of access would be obtained for the new location portion of the project beyond SR 1408 (Saluda Hall Road). Existing US 13 would be upgraded to a four-lane roadway between NC 461 to south of US 158/NC 45. No interchanges would be constructed with this alternative. A superstreet design would be utilized at intersections, with the exception of NC 11 and NC 561, which would be an offset or “dog leg” superstreet design.

Each alternative listed above was shown to the public at the design public hearing held on June 9, 2014. **Table 1** presents a comparison of the detailed study alternatives evaluated in the EA. The table has been updated to reflect changes in the alternatives that have been made to minimize impacts.

**Table 1: Comparison of Detailed Study Alternatives**

Resource		Alternative 1	Alternative 3	Alternative 5	Alternative 6
Project Length (miles)		7.9	7.7	7.7	7.9
Relocations	Residential	1	54	54	1
	Business	0	0	0	0
Adverse/Disproportionate Impacts to Minority/Low Income Populations		No	Yes <sup>1</sup>	Yes <sup>1</sup>	No
Historic Properties (adverse effect)		0	1	1	0
Section 4(f) Impacts		0	2	2	0
Forested Impacts (acres)		157.0	131.1	99.8	123.4
Prime Farmland (acres)		11.2	26.4	26.7	8.9
Noise Impacts		2	26	26	1
Wetland Impacts (acres)		105.9	73.1	45.9	80.1
Stream Impacts (linear feet)		1,126	1,166	1,166	1,163
Construction Cost		\$70,500,000	\$77,600,000	\$57,000,000	\$53,500,000
Wetland/Stream Mitigation Cost <sup>2</sup>		\$6,267,000	\$4,561,000	\$3,121,000	\$4,929,000
Utility Relocation Cost		\$511,720	\$818,920	\$818,920	\$511,720
Right of Way Cost		\$1,812,640	\$15,543,520	\$14,969,690	\$1,243,270
<b>Total Cost</b>		<b>\$79,091,360</b>	<b>\$98,523,440</b>	<b>\$75,909,610</b>	<b>\$60,183,990</b>

<sup>1</sup> Notable adverse community impacts to low income and minority populations are anticipated with Alternatives 3 and 5 due to the high number of relocations and the subsequent loss of community cohesion. Ultimately, benefits and burdens resulting from the project are not anticipated to be equitably distributed throughout the community. The majority of potentially displaced residents are members of this local community. According to the NCDOT relocation report, available housing is expected to accommodate potentially displaced residents, though not within the immediate area.

<sup>2</sup> Wetland/Stream Mitigation costs have been recalculated using lower fee HU rates associated with the project vicinity. (NCDEQ EEP Mitigation Fees)

## **B. Recommended Alternative**

Based on the impacts documented in the EA and in this document, Alternative 1 has been selected by NCDOT as the least environmentally damaging practicable alternative (LEDPA) for the proposed project. The NEPA/404 Merger Team concurred, with three abstentions, on the selection of Alternative 1 as the LEDPA on April 13, 2015. (The Merger Team is defined in the EA, Section VI-C, page 51.) Concurrence was also reached by the Merger Team on Concurrence Point 4A (Avoidance and Minimization Measures) on August 19, 2015. Copies of each concurrence form are included in **Appendix B** of this document.

Alternative 1 was selected as the LEDPA because it best serves the project's purpose and need, while also balancing impacts to the human and natural environment. The alternative proposes full control of access and construction of interchanges at the intersections of NC 11 with NC 561 and NC 11/SR 1212. The proposed interchanges will grade separate traffic at key intersections which have experienced a high rate of severe injury and fatal crashes. Alternative 1 provides the highest safety benefit of the four detailed study alternatives. **Table 2** compares the predicted reduction in crashes within the project limits for each alternative compared to the no-build alternative. This analysis comparison was completed using safety performance functions from the Highway Safety Manual and safety performance functions specifically developed for North Carolina. The analysis was performed by the NCDOT Traffic Safety Unit.

**Table 2: Alternative Safety Analysis Comparison**

<b>Alternative</b>	<b>Description</b>	<b>Predicted Crash <math>\Delta</math> From No-Build</b>
Alternative 1	Freeway, part on new location	52% decrease
Alternative 3	Freeway/expressway on existing location	45% decrease
Alternative 5	Superstreet on existing location (no interchanges)	24% decrease
Alternative 6	Superstreet, part on new location (no interchanges)	24% decrease

Due to the history of accidents at NC 11/NC 561 and NC 11/11, Hertford County and the Peanut Belt Rural Planning Organization passed resolutions in 2012 asking for NCDOT to address safety concerns at these intersections. Various intersection improvements have been implemented through the NCDOT Spot Safety program to try to improve safety at the intersections. Some of these improvements included an added signal at NC 11/NC 561 (providing marginal improvement), the addition of beacons with various configurations at NC 11/11 (with unsuccessful results), and the eventual termination of the eastern leg (SR 1213)

of the NC 11/NC 11 intersection. TIP Project R-5311 was created to address the ongoing safety concerns.

As the table above shows, Alternative 1 is predicted to result in the most reduction in crashes.

### **Alternative 1 in Comparison to Alternatives 3 and 5**

Although Alternatives 3 and 5 will have less of an impact on wetlands and streams than Alternative 1, Alternatives 3 and 5 are projected to provide fewer safety benefits than Alternative 1 and result in more impacts to the human environment. Neither Alternative 3 nor Alternative 5 is anticipated to provide as great a safety benefit as Alternative 1 (45% decrease in crash rates for Alternative 1 versus 52% for Alternative 3 and 24% decrease for Alternative 5). Alternatives 3 and 5 will both result in the relocation of 53 more homes than Alternative 1 (54 versus 1). Alternatives 3 and 5 will both have disproportionately high and adverse impacts to the Pleasant Plains community, a low-income and minority community (Alternative 1 will have no notably adverse community impacts on the Pleasant Plains community). Alternatives 3 and 5 will both have an "adverse effect" on three historic properties (Alternative 1 will have "no effect" on any historic properties). Alternatives 3 and 5 will both have substantially more traffic noise impacts than Alternative 1 (26 homes impacted versus 2). Alternatives 3 and 5 will both require relocating 75 graves (Alternative 1 will not relocate any graves). Alternative 3 will also cost approximately 25 percent more than Alternative 1 (\$98.5 million versus \$79.1 million), while Alternative 1 will be slightly more expensive than Alternative 5 (\$79.1million versus \$75.9 million, or 4 percent more).

As stated previously, both Alternatives 3 and 5 will affect three historic properties. These historic properties are protected by Section 4(f) of the USDOT Act of 1966, as amended. Section 4(f) stipulates publicly owned land from a public park, recreation area, wildlife and waterfowl refuge, and all historic sites of national, state and local significance may be used for federal projects only if: a) there is no feasible and prudent alternative to the use of the land; and b) the project includes all possible planning to minimize harm to 4(f) lands resulting from such use. Alternative 1 is a feasible and prudent alternative to either Alternative 3 or Alternative 5.

The designs for Alternatives 3 and 5 were developed in order to minimize impacts of the alternatives to homes and historic properties along existing US 13. A 46-foot median is proposed for all of the alternatives for the project, including these alternatives. A 46-foot median is typically the narrowest median provided on a facility such as this due to safety and drainage concerns. However, a 23-foot median width and symmetrical widening was examined at two of the historic properties, the Pleasant Plains Baptist Church and the Pleasant Plains Rosenwald School, which are both eligible for the National Register of Historic Places. Because the two historic properties are across the road from each other, symmetrical widening and constructing a narrower 23-foot median would still affect both properties. Also, shifting the road enough to completely avoid one property would increase impacts on the other. Alternative 3 with a 23-foot median along existing US 13 would still relocate substantially more homes than Alternative 1. In addition, reducing the median width would reduce the safety benefits currently predicted to be provided by Alternative 3, possibly resulting in 11% more crashes than would be expected with a 46-foot median.

Alternative 1 provides greater safety benefits, less human environmental impacts than both Alternative 3 and Alternative 5 and costs less than Alternative 3, while costing only slightly more than Alternative 5. For these reasons, NCDOT selected Alternative 1 over Alternatives 3 and 5 for the subject project.

### **Alternative 1 in Comparison to Alternative 6**

Alternative 1 affects the same number of homes as Alternative 6, and both alternatives avoid the historic resources noted above. Alternative 1 has slightly less stream impacts than Alternative 6. However, Alternative 1 does impact more non-riparian wetlands than Alternative 6 and would cost more.

Despite greater wetland impacts and costs, NCDOT prefers Alternative 1 over Alternative 6 because the full control of access facility proposed under Alternative 1 will lead to a greater reduction in the number of predicted crashes than the superstreet facility proposed under Alternative 6. Alternative 6 does not provide the same level of collision reduction and safety improvements as Alternative 1, particularly at key intersections. The predicted crash reduction benefit of Alternative 6 is anticipated to be less than half as effective as Alternative 1 (24% decrease versus 52% decrease).

Both Alternatives 1 and 6 are expected to reduce crashes by removing the crossing movements from the NC 11/NC 11 and NC 11/NC 561 intersections. However, the interchanges proposed under Alternative 1 provide the additional benefit of removing left turning traffic. The superstreet design proposed under Alternative 6 still allows vehicles to make left turns from the main road to the side roads. There is the potential for a pattern of left turn, same roadway type crashes to develop at these locations as a result. There is already a history of severe injury crashes, primarily resulting from drivers choosing bad gaps at both of these intersections.

Both of these intersections have had histories of severe injury and fatal crashes and a number of countermeasures have been implemented to address them. The closure of the SR 1213 leg of the NC 11/NC 11 intersection was an unusual (and locally unpopular) temporary fix for a crash problem until a permanent fix could be accommodated. The NC 561 intersection has cantilevered overhead "Prepare to stop" LED signs on the NC 11 approaches to that intersection. There are very few, if any other, two-lane intersections (two lanes for each leg) where such signs have been installed. Innovative signal timing strategies were also implemented at this location to extend the all-red phase to address red-light running issues. These countermeasures have helped, but interchanges would provide the best long-term approach to safety at these two intersections.

Alternative 1 provides substantially greater safety benefits than Alternative 6. For this reason, NCDOT has selected Alternative 1 over Alternative 6 for the subject project.

#### IV. SUMMARY OF ENVIRONMENTAL EFFECTS

Anticipated effects of the selected alternative are shown in Table 2 below.

**Table 3: Summary of Environmental Effects**

Resource		Alternative 1
Project Length (miles)		7.9
Relocations	Residential	1
	Business	0
Adverse/Disproportionate Impacts to Minority/Low Income Populations		0
Historic Properties (adverse effect)		0
Section 4(f) Impacts		0
Forested Impacts (acres)		157.0
Prime Farmland (acres)		11.2
Noise Impacts		2
Wetland Impacts (acres)		105.9
Stream Impacts (linear feet)		1,126
Construction Cost		\$70,500,000
Wetland/Stream Mitigation Cost		\$6,267,000
Utility Relocation Cost		\$511,720
Right of Way Cost		\$1,812,640
<b>Total Cost</b>		<b>\$79,091,360</b>

## **V. COORDINATION AND COMMENTS**

### **A. Circulation of the Environmental Assessment**

Copies of the federal EA were made available to the public and to the following federal, state, and local agencies:

- US Army Corps of Engineers
- \* US Environmental Protection Agency
- \* US Fish & Wildlife Service
- National Marine Fisheries Service
- \* NC Department of Administration – State Clearinghouse
- \* NC Department of Agriculture and Consumer Services – Agricultural Services
- \* NC Department of Cultural Resources – State Historic Preservation Office
- \* NC Department of Environment and Natural Resources – Div. of Waste Management
- \* NC Department of Environment and Natural Resources – Div. of Water Resources
- \* NC Wildlife Resources Commission

Asterisks (\*) indicate agencies from which comments on the EA were received. Copies of their comments are included in **Appendix A** of this document.

### **B. Comments on the Environmental Assessment**

Responses to project-specific comments provided by each environmental agency are included below.

#### **US Environmental Protection Agency**

**COMMENT:** “In summary, EPA has not identified an environmentally preferred alternative and recognizes the potential environmental justice relocation issues associated with detailed study alternatives (DSAs) #3 and #5 and their fewer jurisdictional impacts. EPA is recommending that the NCDOT and FHWA confirm relocation impact totals and also provide additional documentation for the FONSI regarding environmental justice issues. EPA will participate on the NEPA/Section 404 Merger team and work with NCDOT, FHWA and permitting and resources agencies on the selection of the Least Environmentally Damaging Practicable Alternative (LEDPA).”

**RESPONSE:** Corrected and confirmed relocation impact totals are shown in **Table 1** of this document. Additional information regarding environmental justice issues is provided in Section VI-G of this document.

**COMMENT:** “A comparison of impacts of the [Detailed Study Alternatives (DSAs)] #1, #3, #5, and #6 is identified in Table 6 of the EA. EPA notes that for DSA #1, #3, and #5, the total

relocation alternatives do not add up. These errors should be clarified prior to or at the Concurrence Point 3, Least Environmentally Damaging Practicable Alternative (LEDPA) meeting.”

**RESPONSE:** These errors were corrected in the Concurrence Point 3 merger meeting materials and in **Table 1** of this document.

**COMMENT:** “Most of the wetlands within the project study area are classified under the N.C. Wetlands Assessment Methodology (NCWAM) as non-riparian hardwood flats. The EA provided ‘NCDWQ ratings’ for wetlands but did not utilize the NCWAM system.”

**RESPONSE:** Tables 14 and 16 of the EA both included NCWAM classifications for the wetland sites in the project area, along with the NCDWQ ratings.

**COMMENT:** “Terrestrial forest impacts are provided in Table 11 of the EA. However, this table includes maintained/disturbed areas which EPA does not generally consider to be terrestrial forest. Terrestrial forest impacts range between 99.78 acres for DSA #5 and 164.16 acres for DSA #1.”

**RESPONSE:** Table 11 of the EA presented terrestrial community impacts of all types, inclusive of terrestrial forest impacts and impacts to maintained/disturbed areas. As noted in the comment, impacts to terrestrial forest communities ranged from approximately 99 acres to 164 acres. Since the EA was published, the designs associated with Alternative 1 were revised. As shown in **Table 1**, Alternative 1 now is anticipated to impact 157 acres of forested terrestrial communities.

**COMMENT:** “DSAs #3 and #5 are also anticipated to cause a disproportionately high and adverse impact to affected environmental justice communities (i.e., minority and low income) because there is insufficient available housing in the area to accommodate relocates. NCDOT’s and FHWA’s environmental justice analysis is included on pages 42 and 43 of the EA and includes demographics regarding county population percentages and income and poverty levels within the minority communities. EPA requests that additional information be included in the Finding of No Significant Impact (FONSI) regarding the availability of affordable housing within the county as there were no demographics or perspective relocation reports to support the statement concerning the lack of available housing.”

**RESPONSE:** The relocation reports for the project were included in **Appendix B** of the EA. Section IV-G of this document contains additional information regarding replacement housing availability.

**COMMENT:** “Regarding the issue of community cohesion impacts, it is recommended that the FONSI include specific information as to how community cohesion will be altered by DSAs #3 and #5.”

**RESPONSE:** The lack of available housing in the Pleasant Plains community will mean the majority of those relocated by Alternatives 3 or 5 would likely have to move away from the

Pleasant Plains area. The number of people that would have to relocate from this relatively small community would affect community cohesion (see Section IV-G of this document).

**COMMENT:** “Prime farmland impacts range between 51.5 acres for DSA #6 and 68.9 acres for DSA #3. The FONSI should identify if there are any prime farmland fields that are dissected by DSAs #1 and #6 due to the new location aspects of those two alternatives.”

**RESPONSE:** Prime farmland impacts were errantly reported in the EA. See Section VI-F of this document for updated prime and important farmland impacts for each detailed study alternative. Impacts range from 8.9 acres to 26.7 acres. Designs presented in the EA for the new location alternatives did bisect the Norfleet Hall farm. During preliminary design, efforts were made to revise the alignment to reduce impacts to this operating farm. The alignment is now on the boundary of that operating farm and does not result in a split of the property or an uneconomical remnant of land.

**COMMENT:** “The FONSI should identify if there will potentially be access road issues associated with the new location alternatives and if any proposed access roads will cause additional impacts to jurisdictional resources.”

**RESPONSE:** Section IV-G of the EA discusses service roads required for the project. Impacts of proposed service roads are included in the reported project impacts.

### **US Fish & Wildlife Service**

**COMMENT:** “We understand that four alternatives remain under consideration. We will defer recommending a preferred alternative until Concurrence Point 3 in the Merger Process. However, we note that Alternatives 3 and 5 have the lowest wetland impacts and would likely have the least impact on fish and wildlife resources. We also understand that Alternatives 3 and 5 have Section 4(f) impacts and are not preferred by the North Carolina Department of Transportation.”

**RESPONSE:** Comment noted.

**COMMENT:** “The Atlantic sturgeon falls under the purview of the National Marine Fisheries Service, but we concur that the project will have no effect on the red-cockaded woodpecker and West Indian manatee.”

**RESPONSE:** Comment noted.

**COMMENT:** “We believe that the requirements of Section 7(a)(2) of the ESA have been satisfied. We remind you that obligations under Section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered in this review; (2) this action is subsequently modified in a manner that was not considered in this review; (3) a new species is listed or critical habitat determined that may be affected by the identified action.”

**RESPONSE:** Comment noted.

**COMMENT:** “We note that there appears to be an error in Table S-1 on page 3 and in Table 6 on page 20 of the FEA. The total relocations row does not equal the residential and business relocations when added together. Furthermore, these two tables do not match the numbers given in Table 21 on page 41.”

**RESPONSE:** These errors were corrected in the Concurrence Point 3 merger packet and in **Table 1** of this document.

**COMMENT:** “The Service believes that this FEA adequately addresses the existing fish and wildlife resources, the waters and the wetlands of the United States, and the potential impacts of this proposed project on these resources.”

**RESPONSE:** Comment noted.

#### **NC Department of Environment & Natural Resources – Division of Waste Management**

**COMMENT:** “I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases indicated the following petroleum releases are in the proposed project area (Incident Numbers 6643, 8903, 10675, 11114, 11171, 88120, 88266, and 93018). There is the potential to encounter petroleum contaminated soils at those incident locations. However, I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater.”

**RESPONSE:** As discussed in Section V-L of the EA, if right of way is required from any potentially contaminated properties, soil and groundwater assessments will be performed prior to right of way acquisition.

#### **NC Department of Environment & Natural Resources – Division of Water Resources**

**COMMENT:** “The project material indicates that the proposed highway improvements will encounter an 8” PVC sewer line. Care should be taken to avoid any adverse impacts to any sewer collection systems encountered.”

**RESPONSE:** Utilities affected by the project will be relocated prior to project construction.

**COMMENT:** “This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, the NCDWR will continue to work with the team.”

**RESPONSE:** Comment noted.

## NC Wildlife Resources Commission

**COMMENT:** “We do not have any specific comments on the document; however, we will continue to assess the impacts associated with the remaining alternatives in preparation for the selection of the LEDPA and for further avoidance and minimization measures.”

**RESPONSE:** Comment noted.

## NC Department of Agriculture and Consumer Services – Agricultural Services

**COMMENT:** “The proposed route options for improvements to NC 11 and NC 13 in Hertford County have the potential of irreversible damage and increases the loss of state important farm and forest land in the immediate area. The NCDOT is encouraged to give due consideration of routing and/or designs that would reduce the potential of negative environmental and economic impacts on farm and forest land in the proposed work area and choose a route that limits these damages. Preference should be given to using the existing land resources already being used for the existing NC 11 and NC 13 routes where feasible.”

**RESPONSE:** Through the project development and NEPA / Section 404 Merger processes, NCDOT has thoroughly considered all potential alternatives for this facility to ensure that impacts to the natural and human environments are avoided and minimized to the extent possible. Designs presented in the EA for the new location portion of the project bisected the Norfleet Hall farm. During preliminary design, efforts were made to revise the alignment to reduce impacts to this operating farm.

**COMMENT:** “Farm and forest lands are natural resources with no mitigation process. These agribusiness resources cannot be replaced nor relocated once converted to other uses. Improvements to NC 11 and NC 13 should preference designs that reduce potential negative impacts on farms and forest land. These plans should also negate the formation of incompatible and inaccessible land units that degrade agricultural production capabilities associated with the area’s farm and agribusinesses.”

**RESPONSE:** Project alternatives have been evaluated based on impacts to all resources, including farmland. Alternative 1, NCDOT’s selected alternative, would have the second least impacts to prime and important farmland of the alternatives. Although Alternative 6 would have less impact to prime and important farmland than Alternative 1, Alternative 6 would provide less than half the predicted crash reduction benefit of Alternative 1 (see Section III-B of this document). Designs presented in the EA for the new location portion of the project bisected the Norfleet Hall farm. During preliminary design, efforts were made to revise the alignment to reduce impacts to this operating farm.

**COMMENT:** “Agricultural production incomes from locally grown products have a considerable multiplier influence. It is estimated that for every 40 acres converted from agricultural production, one agribusiness job and its associated economic activity is lost indefinitely. Furthermore, the costs of community services used by agribusiness are usually

minimal and therefore are net contributors to county budgets. Both current and future cost for the conversion land from production agriculture is needed for an accurate evaluation which is not accurately recognized by the Farmland Conversion Impact Rating using Form AD 1006.”

**RESPONSE:** NCDOT has followed the Natural Resources Conservation Service rules for implementing the Farmland Protection Policy Act (7 U.S.C. 658). As noted in the EA, Form AD-1006 is a standard form developed by the U.S. Department of Agriculture to evaluate farmland impacts for corridor projects requiring right of way or permanent easement. It should be noted the recommended alternative is anticipated to convert 11.2 acres of prime farmlands as opposed to the 58.7 acres reported in error in the EA (see Section V-F of this document).

**COMMENT:** “Based on the secondary, cumulative, and direct impacts, this project has potential to adversely impact the agricultural environmental and economic resources. The total negative impact on the environmental and agribusiness economy will be proportionately related to the total acres of farm and forest land taken out of production.”

**RESPONSE:** Comment noted.

### **C. Public Involvement**

In accordance with 23 U.S.C. 128, the North Carolina Department of Transportation certifies a public hearing for the subject project has been held, and the social, economic, and environmental impacts, consistency with local community planning goals and objectives, and comments from individuals have been considered in the selection of the recommended alternative for the project.

Following the circulation of the federal EA, a formal public hearing was held on June 9, 2014 at the Hertford County High School in Ahoskie. Approximately 78 citizens attended the hearing.

Two citizens spoke at the hearing and 18 written comments were received following the hearing. Based on the comments received, Alternative 1 and Alternative 6 were the most favored. Seventeen citizens preferred Alternative 1 and eleven citizens preferred Alternative 6. Alternatives 3 and 5 were the least favored, with eleven citizens expressing their dislike for each of these alternatives.

The majority of citizens in attendance supported the project. Some of the concerns expressed were highway safety, community impacts (particularly along existing US 13 in the Pleasant Plains community), the potential relocation of homes, impacts to historic properties, and possible noise impacts.

## **VI. UPDATES TO THE ENVIRONMENTAL ASSESSMENT**

This section updates information presented in the EA. Some of the data presented corrects errors reported in the EA. Other updates are due to changes in the preliminary designs that have been made as the project has progressed through the project development and NEPA / Section 404 Merger process after completion of the EA.

### **A. Waters of the United States**

Impact calculations for the EA neglected to account for areas isolated inside the proposed ramps at the NC 11/NC 561 and NC 11/SR 1212 interchanges. Also, minimization efforts for each detailed study alternative changed wetland and stream impact quantities. Updated impact calculations were provided to the merger team prior to selection of the LEDPA. Additional avoidance and minimization efforts were incorporated into the LEDPA during Concurrence Point 4A (See Appendix A). Updated wetland and stream impacts for each alternative are presented in **Tables 4** and **5** below. Impacts were defined as being within an area 25 feet outside of the slope stakes of the project. Water resource classifications have not changed since the EA was published.

**Table 4: Update of Table 16 of Environmental Assessment-Estimated Wetland Impacts\***

Map ID	NCWAM Classification	Class	DWQ Rating	Alternative 1 (acres)	Alternative 3 (acres)	Alternative 5 (acres)	Alternative 6 (acres)
WA	HWF	NR	12	7.5	0	0	7.6
WAD	HWF	NR	16	0	0	0	0
WAE	HWF	NR	12	0	3.4	3.4	0
WAF1	HWF	NR	16	0	0.3	0.3	0
WB	HWF	NR	16	3.0	0	0	2.6
WD	HWF	NR	16	0	0.4	0.4	0
WG	HWF	NR	16	0	0.9	0.9	0
WH	HWF	NR	16	29.6	11.6	11.6	31.7
WHA	HWF	NR	16	14.0	0.2	0.1	13.7
WJ	HWF	NR	16	0	4.7	4.6	0
WL	HWF	NR	12	0	0.2	0.2	0

Map ID	NCWAM Classification	Class	DWQ Rating	Alternative 1 (acres)	Alternative 3 (acres)	Alternative 5 (acres)	Alternative 6 (acres)
WN	HWF	NR	12	0.3	0.3	0.3	0.3
WO	HWF	NR	16	2.0	3.3	0	0
WP	HWF	NR	16	1.3	1.1	0.1	0.1
WR	HWF	NR	16	0.6	0.6	0.5	0.6
WS	HWF	NR	16	0.7	0.7	0.7	0.7
WSA	HWF	NR	16	0.1	0.1	0.1	0.1
WT	HWF	NR	16	1.6	1.6	1.0	1.0
WU	HWF	NR	16	2.6	2.4	1.9	1.9
WV	HWF	NR	16	0.3	0.3	0.3	0.3
WWA	HWF	NR	16	0.4	0.4	0.4	0.4
WWW	HWF	NR	16	0.3	0.2	0.2	0.3
WX	HWF	NR	16	10.5	11.0	1.4	1.5
WXX	HWF	NR	16	4.3	4.6	4.6	4.5
WY	HWF	NR	16	16.3	16.8	5.8	5.8
WYY	HWF	NR	16	1.2	0.1	0.1	0
WZ	HWF	NR	16	4.6	4.8	4.0	4.0
WZZ	HWF	NR	16	4.7	2.9	2.8	3.0
NC 461 Wetland	HWF	NR	16	0	0.2	0.2	0
<b>TOTAL:</b>				<b>105.9</b>	<b>73.1</b>	<b>45.9</b>	<b>80.1</b>

\*Impacts include minimization efforts at the NC 11/NC 561 and NC 11/SR 1212 intersections  
NCWAM Classifications: HWF – Hardwood Flat  
Classification: NR – Non-Riparian

**Table 5: Update of Table 15 of Environmental Assessment-Estimated Stream Impacts\***

Map ID	Class	Alternative 1 (linear feet)	Alternative 3 (linear feet)	Alternative 5 (linear feet)	Alternative 6 (linear feet)
SZ	P	155	165	165	160
SY	P	265	265	265	265
SX	I	127	130	130	151
SC	I	81	79	79	81
Mill Branch	P	246	327	327	254
Flat Swamp	I	252	200	200	252
<b>Total:</b>		<b>1,126</b>	<b>1,166</b>	<b>1,166</b>	<b>1,163</b>

\*Impacts include minimization efforts at the NC 11/NC 561 and NC 11/SR 1212 interchanges  
 "P" indicates a perennial stream; "I" indicates an intermittent stream.

Mitigation costs for impacted wetlands and streams, as presented in the EA, were calculated using charges for higher fee hydraulic units (HU). According to the NC Ecosystem Enhancement Program (EEP) mitigation fee schedule, the proposed project actually lies within a lower fee HU. Associated mitigation costs have been updated in this report to reflect the appropriate charges for lower fee HUs. **Table 1** of this report presents appropriate mitigation costs.

**B. Avoidance and Minimization**

Where practicable, design refinements were implemented to reduce wetland impacts associated with each study alternative. For Alternatives 1 and 3, preliminary alternatives proposed a full diamond interchange design, with room for loop ramps, at NC 11/NC 561 and NC 11/SR 1212. Minimization efforts have reduced both interchanges to half-clover designs. For Alternatives 5 and 6, preliminary alternatives proposed a dog-leg superstreet intersection at the intersection of NC 11/NC 561. Minimization efforts have realigned the dog-leg intersection design, shifting it to the north. Wetland impact reductions from these minimization efforts are listed in **Table 6**.

Following the selection of the LEDPA, the radius of the loop ramps at both proposed interchanges were reduced from 250 feet to 230 feet. Accordingly, the corresponding exit ramps were shifted inward to match the loop reductions. At the proposed NC 11 and NC 561 interchange, these revisions reduced impacts to wetlands (WO and WP) by 1.1 acres. At the proposed NC 11 and SR 1212 (Shortcut Road) interchange, impacts to wetlands (WY, WX and WZ) were reduced by 0.8 acres.

In addition to interchange revisions, access roads were reviewed and revised to minimize impacts. The proposed new location service road connecting existing US 13 with SR 1131 (Saluda Hall Road) on the west side of proposed US 13 is no longer recommended. Eliminating this service roadway reduces impacts to wetlands (WAD and WD) by 5.5 acres. Adjustments to the alignment of the service road connecting existing US 13 with SR 1408 (Saluda Hall Road), on the east side of proposed US 13, has reduced impacts to wetland (WZZ) by 0.2 acre.

**Table 6: Wetland Impact Reductions at Intersections (in acres)**

Alternative	NC 11/NC 561 Intersection			NC 11/SR 1212 Intersection			Total Reduction
	Preliminary Design	Minimization Design	Reduction	Preliminary Design	Minimization Design	Reduction	
Alt 1	14.3	4.9	9.4	54.0	31.5	22.5	<b>31.9</b>
Alt 3	14.3	4.9	9.4	54.0	31.5	22.5	<b>31.9</b>
Alt 5	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	2.0	0.5	1.5	<b>1.5</b>
Alt 6	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	2.0	0.5	1.5	<b>1.5</b>

**C. Federally Protected Species**

Since the completion of the EA there has been no change to the United States Fish and Wildlife Service (USFWS) list of federally protected species for Hertford County. A biological conclusion of No Effect is still valid for the three species listed in the EA.

Although the northern long-eared bat (NLEB) is not currently listed in Hertford County, the USFWS has developed a programmatic conference opinion (PCO) in conjunction with the FFHWA, the US Army Corps of Engineers (USACE) and NCDOT, for the NLEB (*Myotis septentrionalis*) in eastern North Carolina. The PCO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for NLEB for the NCDOT program is “May Affect, Likely to Adversely Affect.” Since the NLEB has been officially listed as a threatened species, FHWA and USACE are requesting that USFWS convert the PCO to a programmatic biological opinion (PBO). The PBO will provide incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT administered projects with a federal nexus in Divisions 1-8, which includes Hertford County.

A review of the North Carolina Natural Heritage Program (NCNHP) records, updated October 15, 2014, indicates no known occurrence of any of these species within one mile of the study area. Due to the lack of habitat and known occurrences it has been determined this project will not affect any federally protected species.

#### **D. Historic Architectural Resources**

Section V-B-1 of the EA describes properties listed on or eligible for the National Register of Historic Places in the project area. Three properties eligible for the National Register are located in the project area: the Pleasant Plains Baptist Church, the Pleasant Plains Rosenwald School and the Newsome-Hall House. Table 19 of the EA presents the project’s effects on these properties. According to Table 19 of the EA, Alternatives 3 and 5 would have an “adverse effect” on the Pleasant Plains Church and Rosenwald School and “no adverse effect” on the Newsome-Hall House. The effects determinations presented in the EA were based on comments made at a meeting held on June 11, 2013 between NCDOT, FHWA and the State Historic Preservation Office. Formal agreement on the project effects was not reached at that meeting due to a question related to access at the Newsome-Hall House.

Following completion of the EA, a second meeting was held on May 13, 2014 to discuss the project’s effects on historic properties, and additional information was provided regarding the project design at the Newsome-Hall House. At this meeting, it was determined Alternatives 3 and 5 would have an “adverse effect” on the Newsome-Hall House, as well as the Pleasant Plains Baptist Church and the Pleasant Plains Rosenwald School. It was also determined that Alternative 6 would have “no effect” on the Newsome-Hall House (the EA stated Alternative 6 would have “no adverse effect”). The State Historic Preservation Office concurred with these findings on May 13, 2014. A copy of the concurrence form is included in **Appendix A** of this document. Table 7 is an update of Table 19 of the EA.

**Table 7: Update of Table 19 of the Environmental Assessment-Historic Resource Effects**

<b>Alternative</b>	<b>Historic Resource</b>	<b>Project Effect</b>
1	Newsome-Hall House	No effect
1	Pleasant Plains Baptist Church & Rosenwald School	No effect
3	Newsome-Hall House	Adverse effect
3	Pleasant Plains Baptist Church & Rosenwald School	Adverse effect
5	Newsome-Hall House	Adverse effect
5	Pleasant Plains Baptist Church & Rosenwald School	Adverse effect
6	Newsome-Hall House	No effect
6	Pleasant Plains Baptist Church & Rosenwald School	No effect

If during the design phase of the project it is determined the full movement access at SR 1131 (Saluda Hall Road) that provides access to the National Register-eligible Newsome Hall House property cannot be maintained, additional coordination with the State Historic Preservation Office will be conducted to ensure that the effect determination is still valid.

#### **E. Archaeological Resources**

Section V-B-2 of the EA stated NCDOT would coordinate with the State Historic Preservation Office regarding the need for an archaeological survey for the project following selection of the preferred alternative. In a letter dated March 23, 2015, the State Historic Preservation Office

noted “large portions of the study area need no further archaeological investigation,” and an “intensive archaeological survey is needed in portions of Alternative 1 on new alignment.”

As recommended by the State Historic Preservation Office, NCDOT conducted an archaeological survey and evaluation for the recommended portions of the project. The survey was undertaken in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA-PL89-665) and the Advisory Council on Historic Preservation’s regulations for compliance with Section 106, codified as 36 CFR Part 800. Three archaeological resources were identified in the Area of Potential Effects. In addition, a fourth archaeological site, the Keene family cemetery (31Hf288\*\*), was identified just outside the Area of Potential Effects. In the report, none of the sites were recommended as eligible for the National Register of Historic Places. The State Historic Preservation Office concurred with this finding in a letter dated October 20, 2015 and included in **Appendix A**.

The approximate location of the Keene family cemetery is shown in **Figure 2D**. The small family cemetery is not eligible for the National Register. It is located off of Hall Siding Road and will be avoided if possible.

**F. Prime and Important Farmland**

Project impacts to prime and important farmland are discussed in Section V-D of the EA. The farmland impacts presented on Table 20 of the EA erroneously included existing right of way in the impact calculations. **Table 8** presents the corrected farmland impacts for each alternative.

**Table 8: Update of Table 20 of the Environmental Assessment-Prime Farmland Impacts**

<b>Alternative</b>	<b>Prime Farmland Impacts (acres)</b>
1	11.2
3	26.36
5	26.71
6	8.9

In addition, designs presented in the EA for the new location portion of the project bisected the Norfleet Hall farm. During subsequent phases of preliminary design, efforts were made to revise the alignment to reduce impacts to that operating farm.

A Farmland Conversion Impact Rating (NRCS AD -1006) has been completed for this project, and since all alternatives surpassed the 60 point threshold for Part VI, the Farmland Impact conversion Rating Form was submitted to NRCS for review. Upon completion of their review (Parts IV and V of the NRCS AD-1006 form), it was determined all alternatives received final point totals of less than 160 points (see **Appendix C** for NRCS AD-1006 Form). Therefore, all alternatives fall below the NRCS minimum criteria rating and will not be evaluated further for farmland impacts. These alternatives will not have a significant impact to farmlands.

## **G. Minority/Low-Income Populations**

As discussed in Section V-E-3 of the EA, Alternatives 3 and 5 are anticipated to disproportionately adversely affect the cohesion of Pleasant Plains community. This rural community is clustered along US 13 and the southern intersection of US 13 and NC 461. The majority of potentially displaced residents associated with these alternatives are members of this local community. Many of these residents are members of the local Meherrin Indian Tribe. Additionally, the community has current and historic ties to the nearby Pleasant Plains Baptist Church and cemetery and to Pleasant Plains Rosenwald School. Alternatives 3 and 5 would relocate over 50 homes in this small community.

While available housing is expected to accommodate potentially displaced residents within adjacent larger communities, within the immediate area it is unlikely replacement housing will be available for all relocations. There are fewer than 200 existing homes located in the Pleasant Plains Community. 2010 Census data indicates approximately 10.3 percent of the homes in the project demographic study area are vacant, meaning that potentially only about 20 homes would be available in the Pleasant Plains area to accommodate individuals and families relocated by Alternatives 3 or 5. The lack of available housing in the Pleasant Plains community will mean the majority of those relocated by Alternatives 3 or 5 would likely have to move away from the Pleasant Plains area. Thus, the high number of relocations from this community would affect community cohesion.

## **VII. BASIS FOR FINDING OF NO SIGNIFICANT IMPACT**

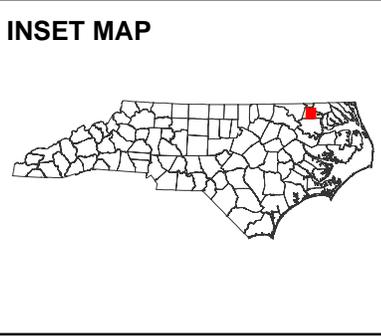
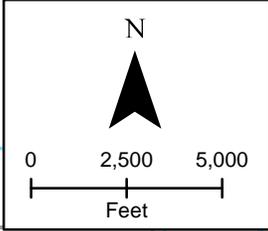
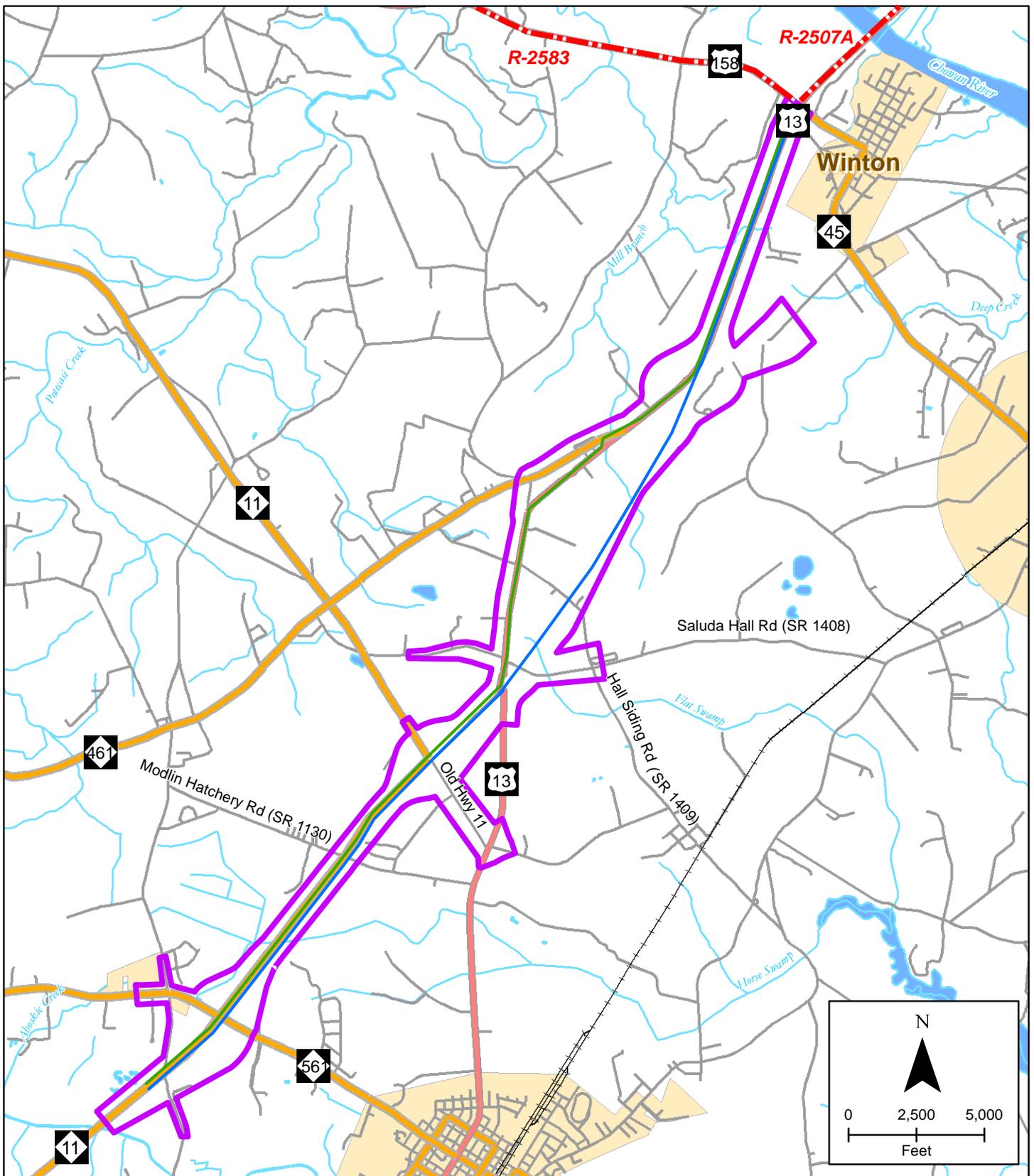
Based upon the environmental studies and coordination with appropriate federal, state, and local agencies, it is the finding of the Federal Highway Administration and the North Carolina Department of Transportation that the proposed action will have no significant impact upon the quality of the environment. This action is based on public involvement and comments received on the EA. Therefore, an Environmental Impact Statement will not be required.

The following persons may be contacted for additional information concerning this proposal and statement:

Mr. John F. Sullivan, III, P.E.  
Division Administrator  
Federal Highway Administration  
310 New Bern Avenue, Suite 410  
Raleigh, North Carolina 27601-1418  
(919) 856-4346

Mr. Richard Hancock, P.E.  
Project Development & Environmental Analysis Unit  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548  
(919) 707-6000

## **FIGURES**



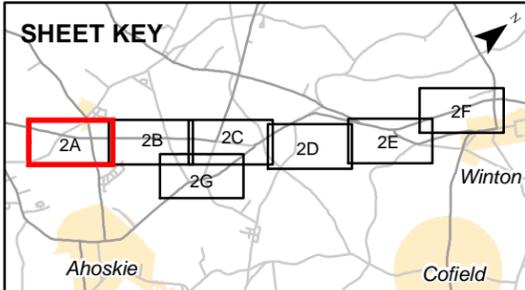
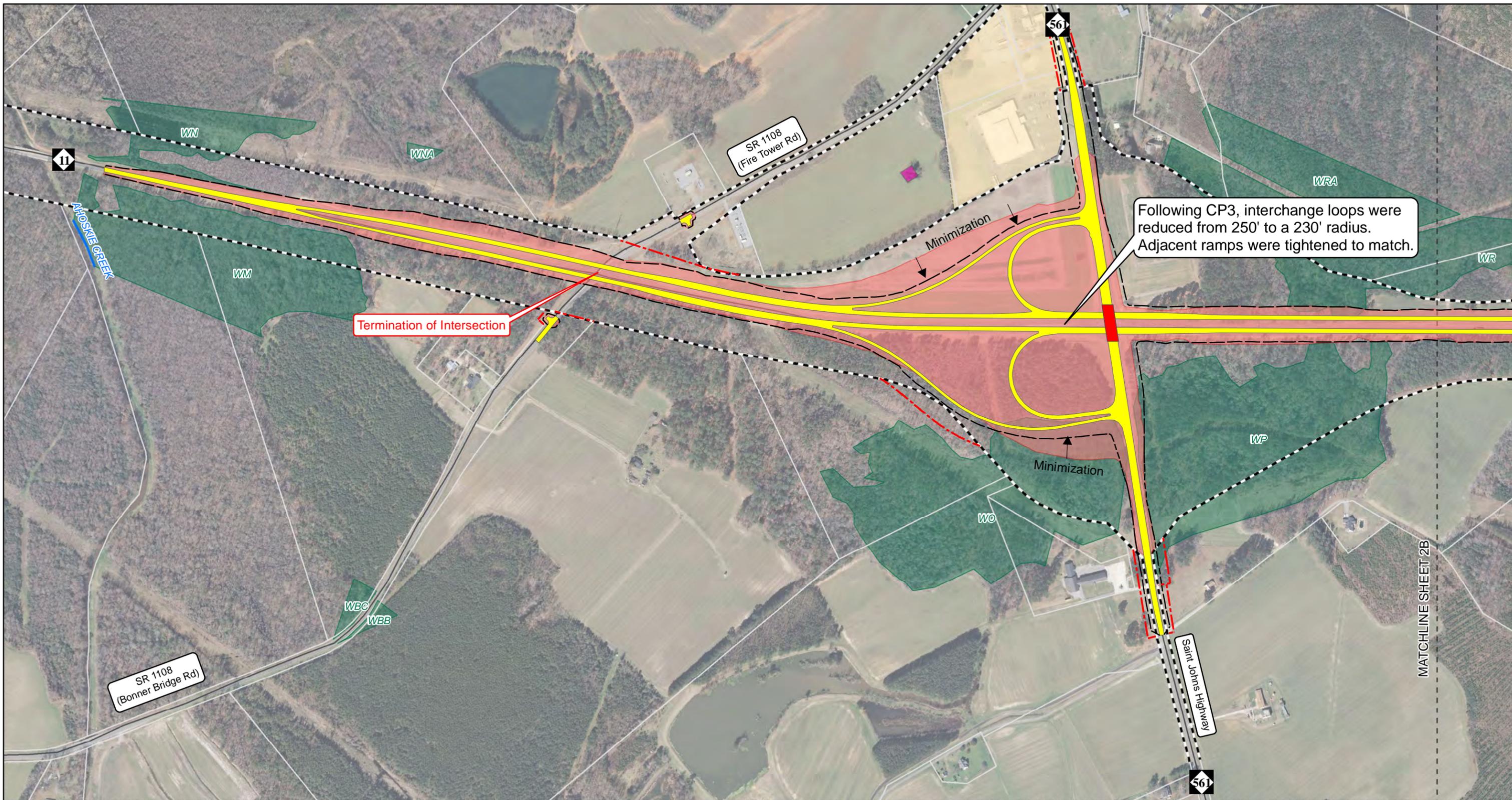
**LEGEND**

Study Area	TIP Projects
Municipal Limits	
Alternatives 1 and 6	
Alternatives 3 and 5	
US Route	
NC Route	
Secondary Roads	

**Vicinity Map**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

	North Carolina Department of Transportation	Figure 1
	Project Development and Environmental Analysis Branch	

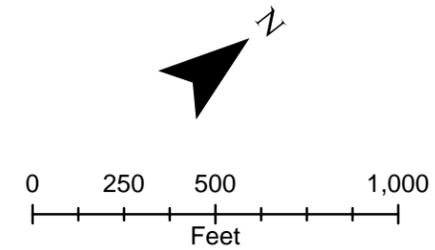


**LEGEND**

- Proposed Edge of Pavement
- Proposed Bridge or Culvert
- Proposed Right of way
- Existing Right of way
- Proposed Construction Limits

- Construction Limits (Presented at CP3)
- Parcel Boundary
- Historic Property - Eligible for National Register of Historic Places
- Historic Structure - Eligible for National Register of Historic Places

- Delineated Wetland
- Delineated Stream
- Municipal Boundary
- Cemetery
- TIP Project

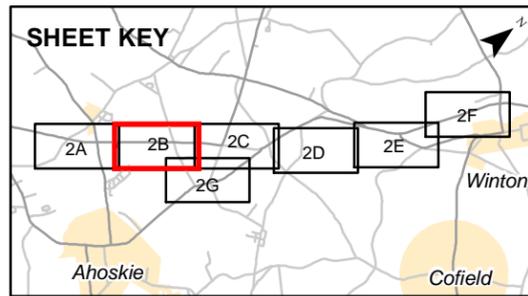
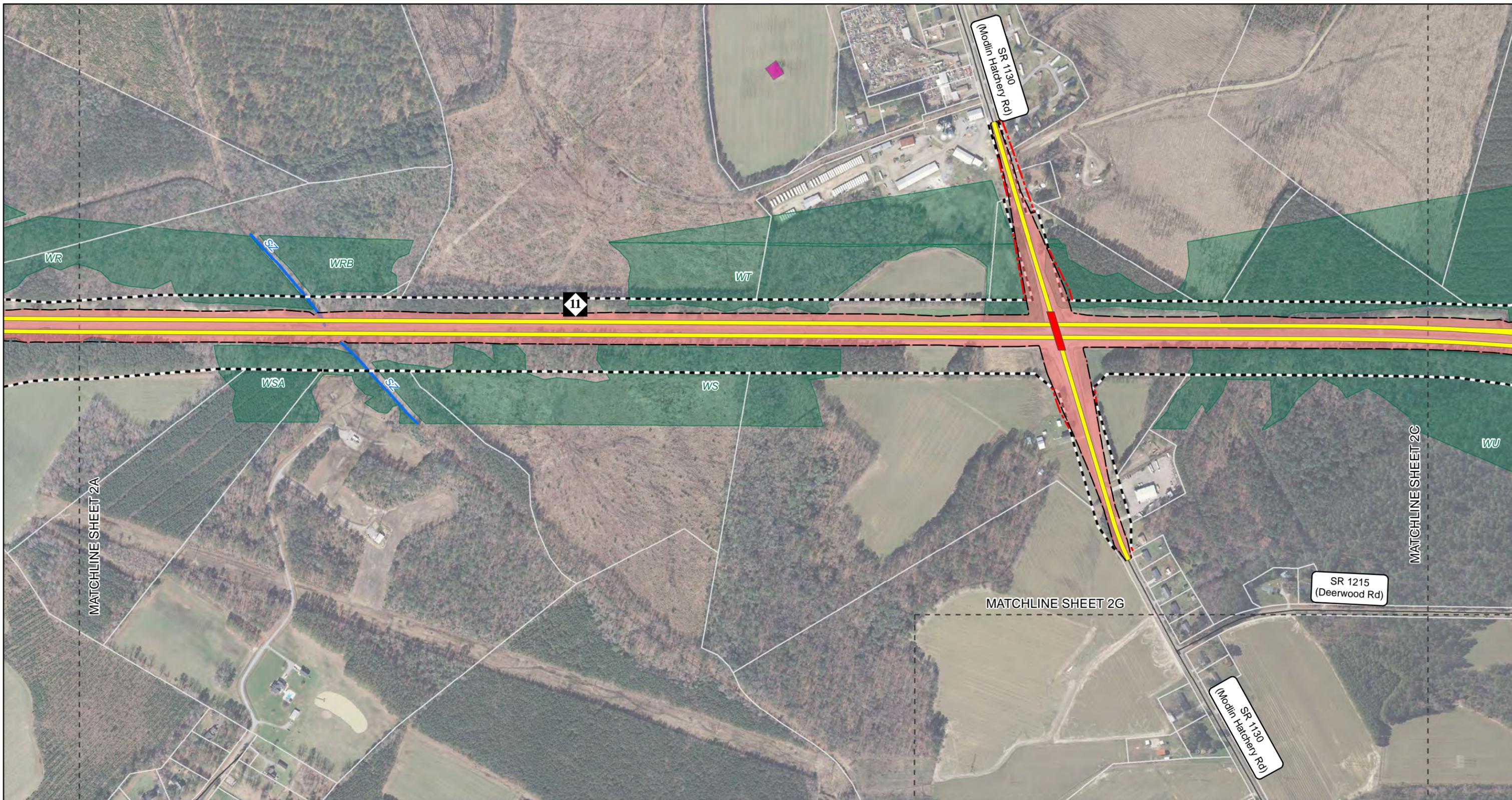


**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

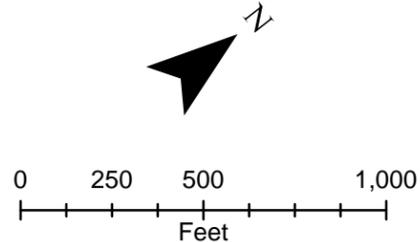


North Carolina Department of  
 Transportation  
 Project Development and  
 Environmental Analysis Unit



**LEGEND**

- Proposed Edge of Pavement
- Proposed Bridge or Culvert
- Proposed Right of way
- Existing Right of way
- Proposed Construction Limits
- Construction Limits (Presented at CP3)
- Parcel Boundary
- Historic Property - Eligible for National Register of Historic Places
- Historic Structure - Eligible for National Register of Historic Places
- Delineated Wetland
- Delineated Stream
- Municipal Boundary
- Cemetery
- TIP Project



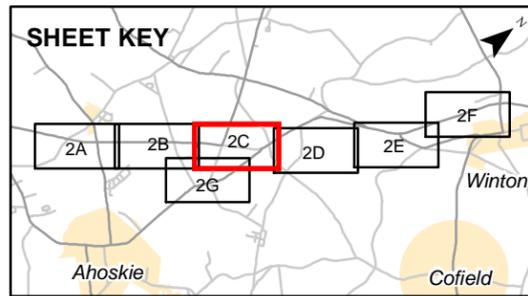
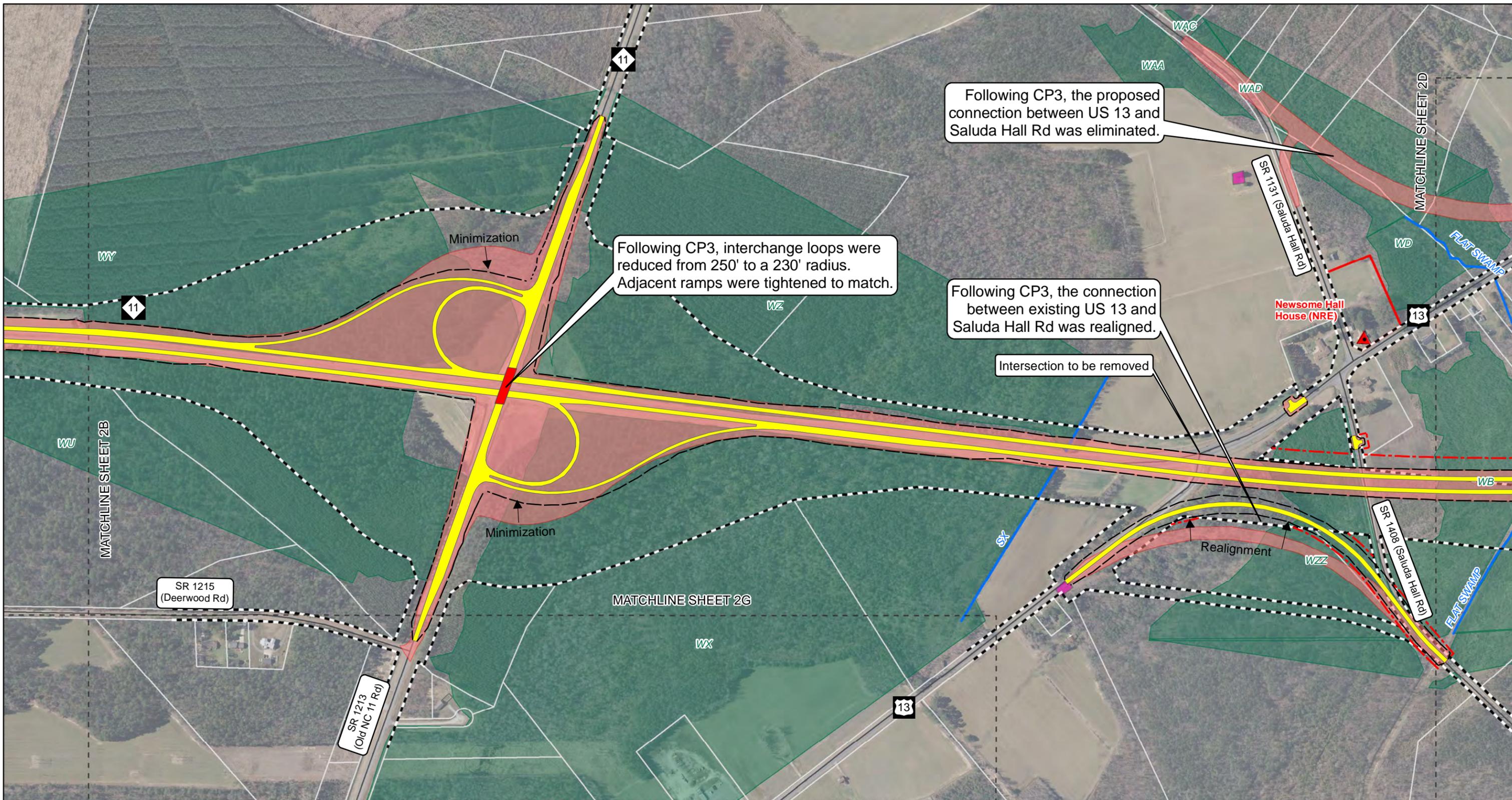
**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton



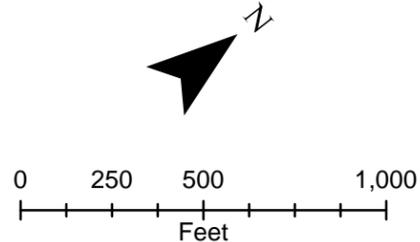
North Carolina Department of  
 Transportation  
 Project Development and  
 Environmental Analysis Unit

Figure  
**2B**



**LEGEND**

- Proposed Edge of Pavement
- Proposed Bridge or Culvert
- Proposed Right of way
- Existing Right of way
- Proposed Construction Limits
- Construction Limits (Presented at CP3)
- Parcel Boundary
- Historic Property - Eligible for National Register of Historic Places
- Historic Structure - Eligible for National Register of Historic Places
- Delineated Wetland
- Delineated Stream
- Municipal Boundary
- Cemetery
- TIP Project

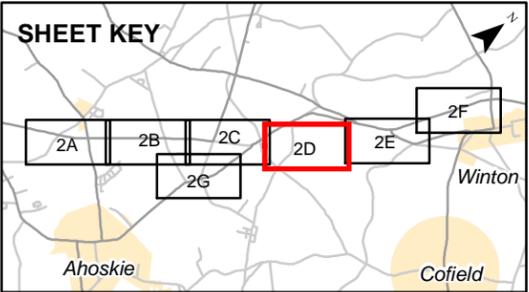
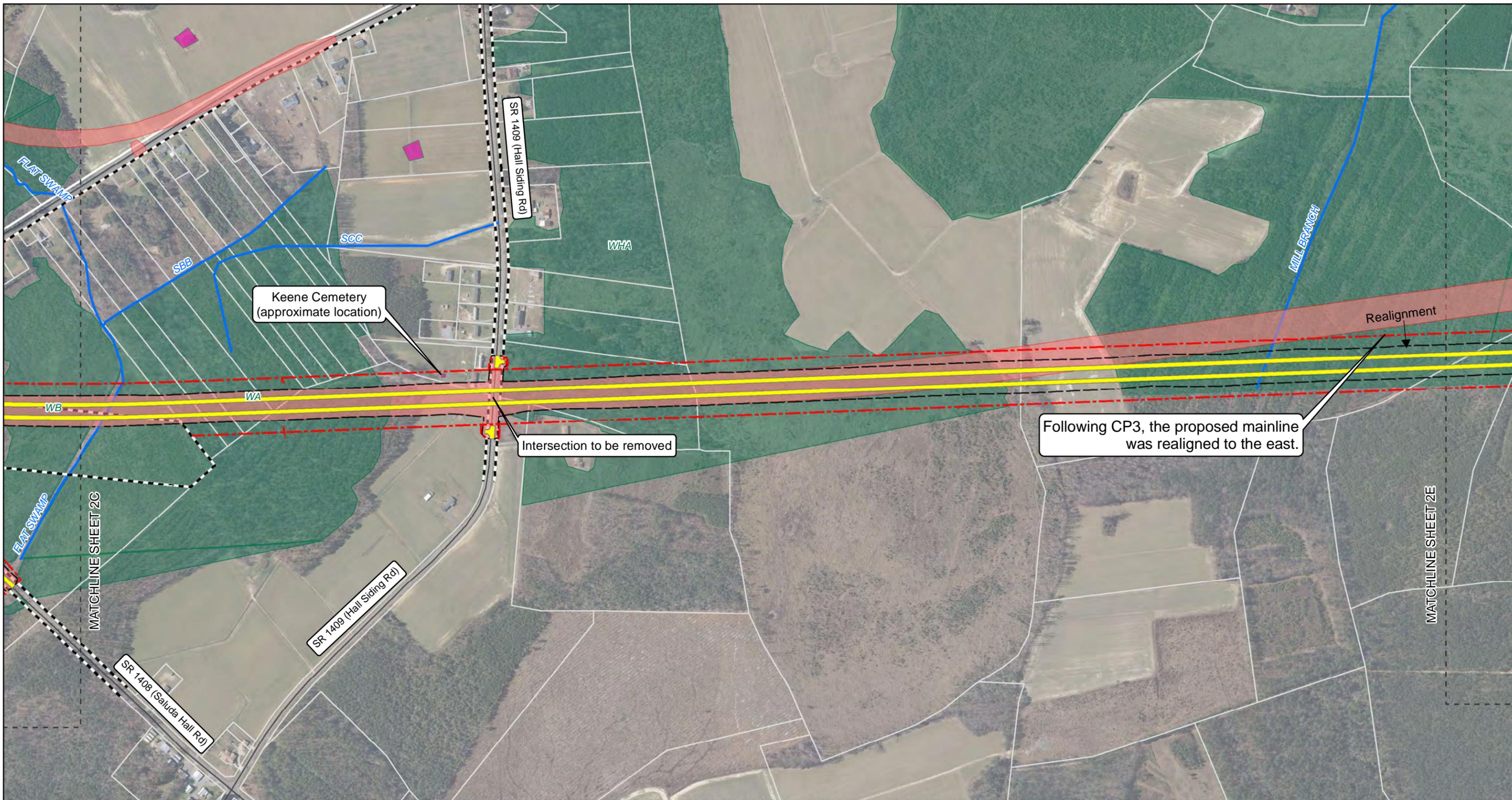


**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
Improvements to US 13/NC 11  
from NC 11/NC 561 near Ahoskie  
to US 13/US 158/NC 45 near Winton

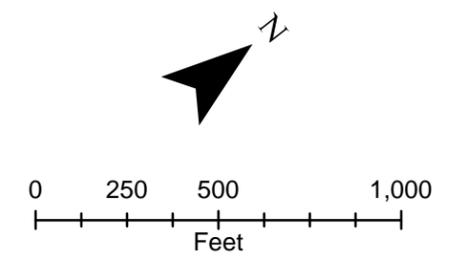


North Carolina Department of Transportation  
Project Development and Environmental Analysis Unit



**LEGEND**

Proposed Edge of Pavement	Construction Limits (Presented at CP3)	Delineated Wetland
Proposed Bridge or Culvert	Parcel Boundary	Delineated Stream
Proposed Right of way	Historic Property - Eligible for National Register of Historic Places	Municipal Boundary
Existing Right of way	Historic Structure - Eligible for National Register of Historic Places	Cemetery
Proposed Construction Limits		TIP Project

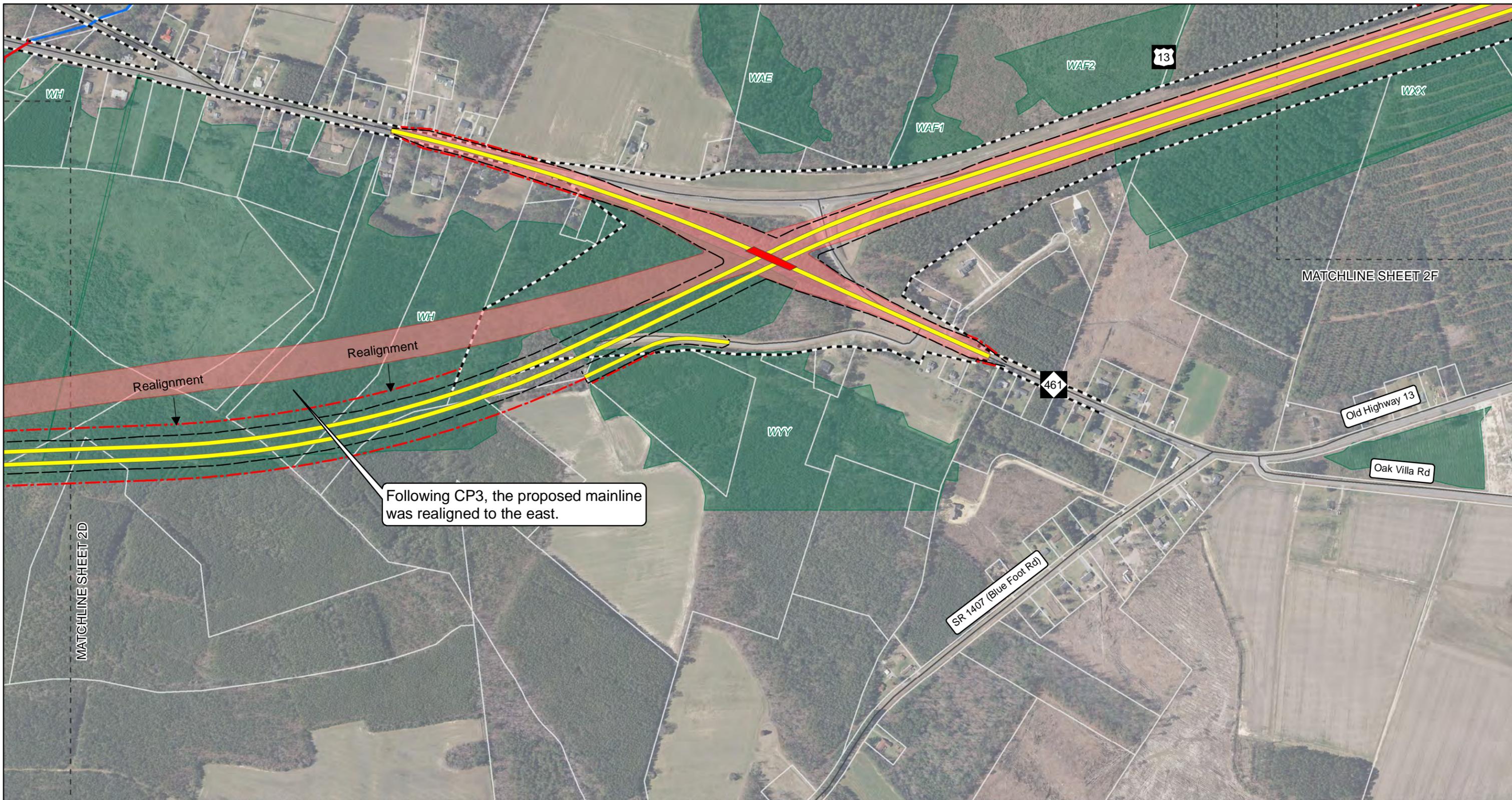


**Recommended Improvements (Alternative 1)**

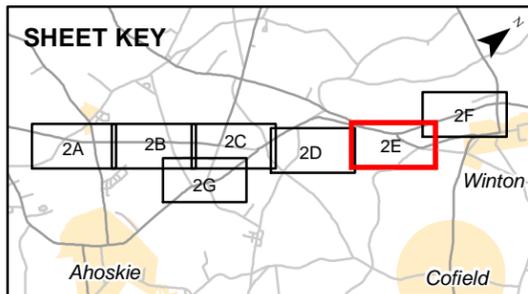
TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

North Carolina Department of Transportation  
 Project Development and Environmental Analysis Unit

Figure **2D**

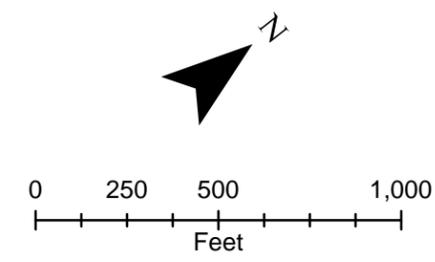


Following CP3, the proposed mainline was realigned to the east.



**LEGEND**

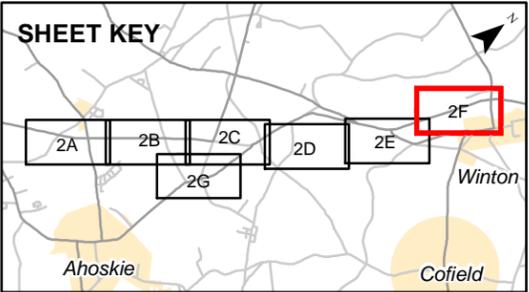
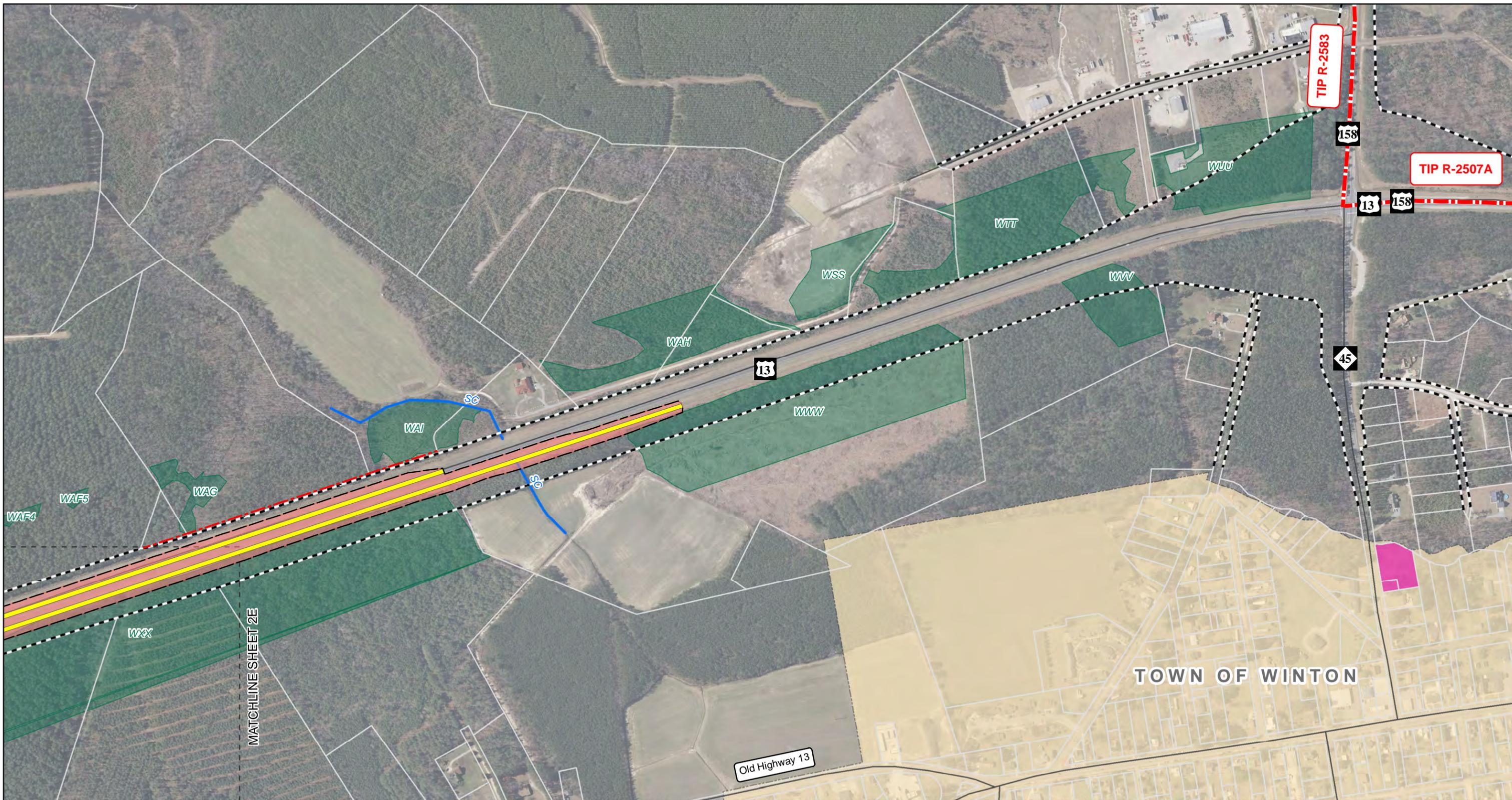
- Proposed Edge of Pavement
- Proposed Bridge or Culvert
- Proposed Right of way
- Existing Right of way
- Proposed Construction Limits
- Construction Limits (Presented at CP3)
- Parcel Boundary
- Historic Property - Eligible for National Register of Historic Places
- Historic Structure - Eligible for National Register of Historic Places
- Delineated Wetland
- Delineated Stream
- Municipal Boundary
- Cemetery
- TIP Project



**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

	North Carolina Department of Transportation Project Development and Environmental Analysis Unit	Figure <b>2E</b>
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**LEGEND**

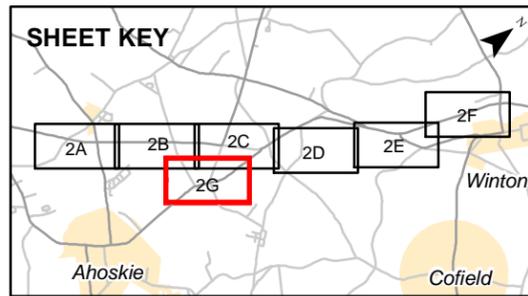
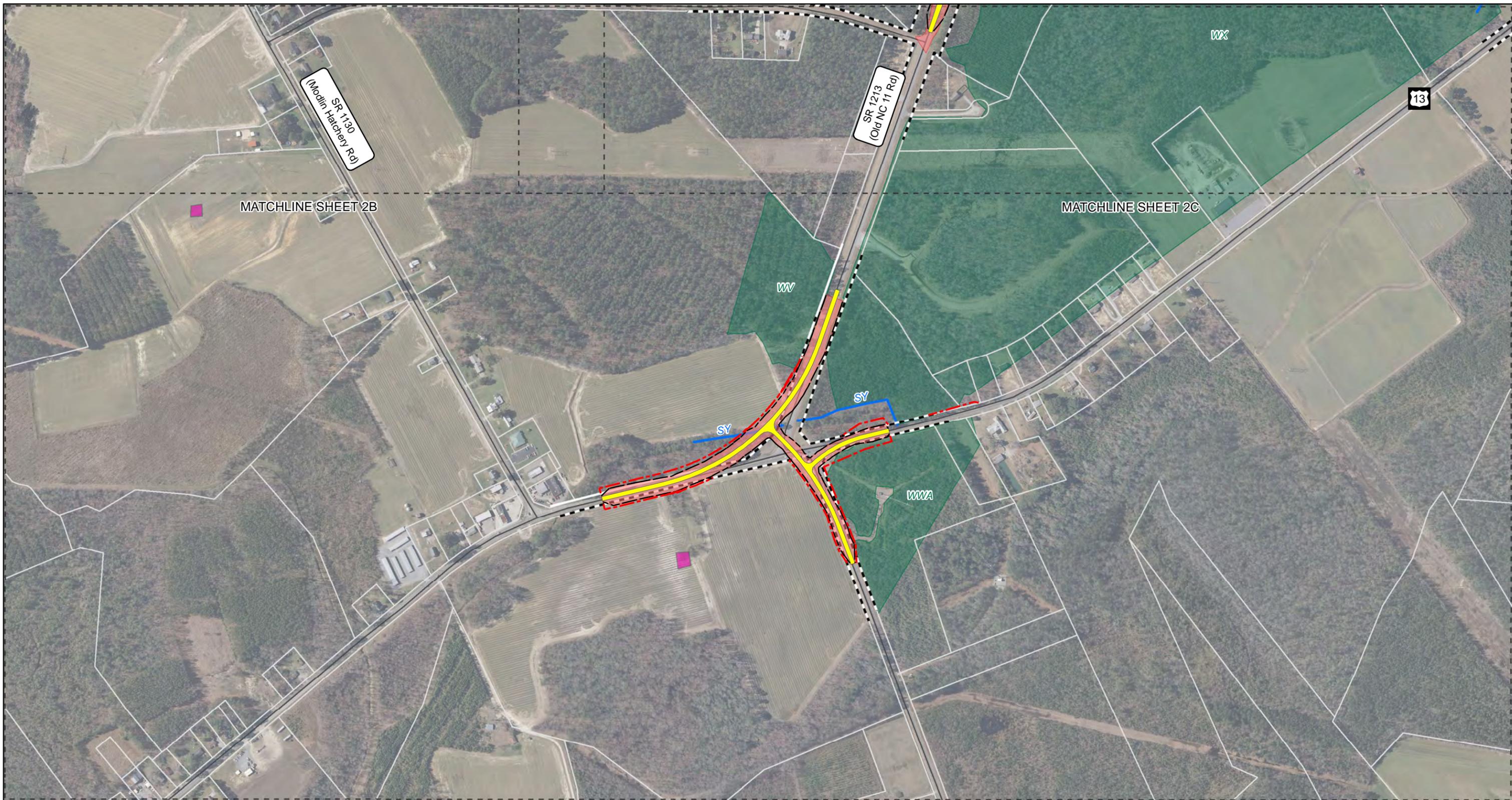
Proposed Edge of Pavement	Construction Limits (Presented at CP3)	Delineated Wetland
Proposed Bridge or Culvert	Parcel Boundary	Delineated Stream
Proposed Right of way	Historic Property - Eligible for National Register of Historic Places	Municipal Boundary
Existing Right of way	Historic Structure - Eligible for National Register of Historic Places	Cemetery
Proposed Construction Limits		TIP Project

**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

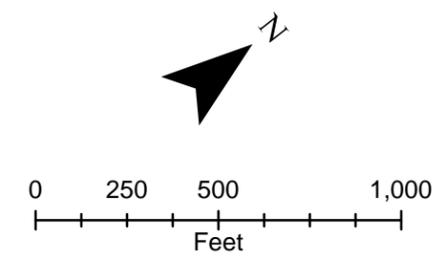
North Carolina Department of  
 Transportation  
 Project Development and  
 Environmental Analysis Unit

Figure  
**2F**



**LEGEND**

- Proposed Edge of Pavement
- Proposed Bridge or Culvert
- Proposed Right of way
- Existing Right of way
- Proposed Construction Limits
- Construction Limits (Presented at CP3)
- Parcel Boundary
- Historic Property - Eligible for National Register of Historic Places
- Historic Structure - Eligible for National Register of Historic Places
- Delineated Wetland
- Delineated Stream
- Municipal Boundary
- Cemetery
- TIP Project



**Recommended Improvements (Alternative 1)**

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton



North Carolina Department of  
 Transportation  
 Project Development and  
 Environmental Analysis Unit

Figure  
**2G**

## **APPENDIX A**

### **COMMENTS RECEIVED**



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

Date: February 3, 2014

Mr. Richard W. Hancock, P.E.  
Manager, Project Development and Environmental  
Analysis Branch  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548

SUBJECT: EPA Review Comments of the Federal Environmental Assessment for the Proposed Improvements to NC 11 and US 13 near the Town of Ahoskie, Hertford County, North Carolina; TIP No.: R-5311

Dear Mr. Hancock:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject document and is providing comments in accordance with Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration propose to improve NC 11 and US 13 for an approximate distance of 7.8 miles near the towns of Ahoskie and Winton, in Hertford County, N.C.

The NC 11 and US 13 Improvements project is in the NEPA/Section 404 Merger process and EPA has been a participating member of this team. According to EPA's records, Concurrence Point 1 Purpose and Need was signed on September 14, 2011. Concurrence Point 2, Detailed Study Alternatives was signed by Merger team agencies on September 19, 2012. Concurrence Point 2A Bridging and Alignment Decisions was concurred upon on June 18, 2013. EPA has provided specific technical review comments in an attachment to this letter (See Attachment A).

In summary, EPA has not identified an environmentally preferred alternative and recognizes the potential environmental justice relocation issues associated with detailed study alternatives (DSAs) #3 and #5 and their fewer jurisdictional wetland impacts. EPA is recommending that the NCDOT and FHWA confirm relocation impact totals and also provide additional documentation for the FONSI regarding environmental justice issues. EPA will participate on the NEPA/Section 404 Merger team and work with NCDOT, FHWA, and

permitting and resources agencies on the selection of the Least Environmentally Damaging Practicable Alternative (LEDPA). Please feel free to contact Mr. Christopher Militscher of my staff at [miliischer.chris@epa.gov](mailto:militscher.chris@epa.gov) or 404-562-9512 should you have any questions concerning these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mueller". The signature is written in a cursive style with a large initial "H" and a long, sweeping underline.

Heinz J. Mueller, Chief  
NEPA Program Office  
Office of Environmental Accountability

Attachment A

Cc: H. Wicker, USACE, w/attachments  
A. Chapman, NCDENR w/attachments

**ATTACHMENT A**  
**Technical Review Comments on Federal EA**  
**Proposed NC 11 and US 13 Improvements near Ahoskie**  
**Hertford County, North Carolina**  
**TIP No.: R-5311**

Detailed Study Alternatives

The NCDOT and other Merger team agencies carried forward 4 Detailed Study Alternatives (DSAs) into the Environmental Assessment (EA). DSA #1 is a proposed Freeway with part on new location. DSA# 3 is a Freeway/Expressway design on existing location. DSA #5 is a 'Superstreet' design on existing location. DSA #6 is a 'Superstreet' design with part on new location. A comparison of impacts of the DSAs #1, #3, #5 and #6 is identified in Table 6 of the EA. EPA notes that for DSA #1, #3 and # 5 the total relocation alternatives do not add up (i.e., DSA #1: 1 residential + 0 business = 2 total; DSA #3: 54 residential + 2 business = 50; DSA #5: 54 residential + 2 business = 52). These errors should be clarified prior to or at the Concurrence Point 3, Least Environmentally Damaging Practicable Alternative (LEDPA) meeting.

Natural Resources Impacts

Jurisdictional wetland impacts are substantially different between the DSAs, with DSA #1 having the greatest at 118.7 acres and DSA #5 having the lowest at 48.7 acres. DSA#6 has 83.5 acres and DSA# 3 has 77 acres. All of the DSAs have similar stream impacts between 1,101 linear feet and 1,171 linear feet. The DSAs with the least jurisdictional impacts to wetlands have the greatest impact to residences and businesses. Most of the wetlands within the project study area are classified under the N.C. Wetlands Assessment Methodology (NCWAM) as non-riparian hardwood flats. The EA provided 'NCDWQ ratings' for wetlands but did not utilize the NCWAM system. The predominant streams in the project study area include Flat Swamp, Ahoskie Creek and Mill Branch and tributaries to these systems. All of the streams and tributaries are classified as C waters; Nutrient Sensitive Waters (C;NSW). Floodplain impacts are shown as 0 acres in Table 6 for all four DSAs.

Terrestrial forest impacts are provided in Table 11 of the EA. However, this table also includes maintained/disturbed areas which EPA does not generally consider to be terrestrial forest. Terrestrial forest impacts range between 99.78 acres for DSA #5 and 164.16 acres for DSA #1. There are no Federally-protected species in the project study area expected to be impacted by the proposed project.

Human Resources Impacts

Residential and business relocations are discussed above. In addition, DSAs #3 and #5 also are expected to impact (adverse effect) 1 historic property and 2 community facilities (Pleasant Plains Church and cemetery). DSAs #3 and #5 are also anticipated to cause a disproportionately high and adverse to affected environmental justice communities (i.e., minority and low-income) because there is insufficient available housing in the area to accommodate

relocates. NCDOT's and FHWA's environmental justice analysis is included on pages 42 and 43 of the EA and includes demographics regarding county population percentages and income and poverty levels within the minority communities. EPA requests that additional information be included in the Finding of No Significant Impact (FONSI) regarding the availability of affordable housing within the county as there were no demographics or perspective relocation reports to support the statement concerning the lack of available housing. Regarding the issue of community cohesion impacts, it is recommended that the FONSI include specific information as to how community cohesion will be altered by DSAs #3 and #5.

DSAs #3 and #5 have the greatest noise receptor impacts at 26 and DSAs #1 and #6 are estimated at 2 and 1 receptor, respectively.

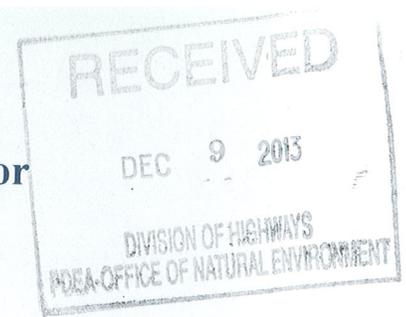
Prime farmlands impacts range between 51.5 acres for DSA #6 and 68.9 acres for DSA #3. The FONSI should identify if there are any prime farmland fields that are dissected by DSAs #1 and #6 due to the new location aspects of those two alternatives. The FONSI should identify if there will potentially be access road issues associated with the new location alternatives and if any proposed access roads will cause additional impacts to jurisdictional resources.



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Raleigh Field Office  
Post Office Box 33726  
Raleigh, North Carolina 27636-3726

December 5, 2013



Richard W. Hancock, PE  
Project Development and Environmental Analysis  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548

Dear Mr. Hancock:

This letter is in response to your November 25, 2013 letter which requested comments from the U.S. Fish and Wildlife Service (Service) on the Federal Environmental Assessment (FEA) for improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/US 158/NC 45 near Winton, Hertford County, North Carolina (TIP No. R-5311). These comments are provided in accordance with provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531-1543).

The Service has previously provided input into the planning and design of this project through the NEPA/Section 404 Merger Process. We understand that four alternatives remain under consideration. We will defer recommending a preferred alternative until Concurrence Point 3 in the Merger Process. However, we note that Alternatives 3 and 5 have the lowest wetland impacts and would likely have the least impact on fish and wildlife resources. We also understand that Alternatives 3 and 5 have Section 4(f) impacts and are not preferred by the North Carolina Department of Transportation (NCDOT).

There are three federally endangered species listed for Hertford County – Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), red-cockaded woodpecker (*Picoides borealis*) and West Indian manatee (*Trichechus manatus*). NCDOT has determined that the proposed project will have no effect on these three species. The Atlantic sturgeon falls under the purview of the National Marine Fisheries Service, but we concur that the project will have no effect on the red-cockaded woodpecker and West Indian manatee. We believe that the requirements of Section 7(a)(2) of the ESA have been satisfied. We remind you that obligations under Section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered in this review; (2) this action is subsequently modified in a manner that was not considered in this review; (3) a new species is listed or critical habitat determined that may be affected by the identified action.

We note that there appears to be an error in Table S-1 on page 3 and in Table 6 on page 20 of the FEA. The total relocations row does not equal the residential and business relocations when added together. Furthermore, these two tables do not match the numbers given in Table 21 on page 41.

The Service believes that this FEA adequately addresses the existing fish and wildlife resources, the waters and wetlands of the United States, and the potential impacts of this proposed project on these resources. The Service appreciates the opportunity to review this project. If you have any questions regarding our response, please contact Mr. Gary Jordan at (919) 856-4520, ext. 32.

Sincerely,

*for*   
Pete Benjamin  
Field Supervisor

Electronic copy: Chris Militscher, USEPA, Atlanta, GA  
Travis Wilson, NCWRC, Creedmoor, NC  
Tracey Wheeler, USACE, Washington, NC  
Ron Lucas, FHWA, Raleigh, NC



## North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

January 7, 2014

Ms. Kim Gillespie  
North Carolina Department of Transportation  
Project Dev. & Environ. Analysis  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548

**Re: SCH File # 14-E-4220-0235; EA; Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, TIP R-5311.**

Dear Ms. Gillespie:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Best".

Crystal Best

State Environmental Review Clearinghouse

Attachments

cc: Region Q

*Mailing Address:*  
1301 Mail Service Center  
Raleigh, NC 27699-1301

*Telephone: (919)807-2425*  
Fax (919)733-9571  
State Courier #51-01-00  
*e-mail state.clearinghouse@doa.nc.gov*

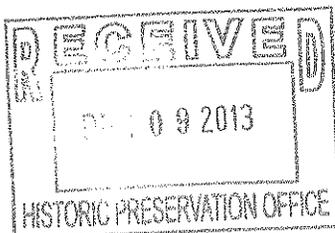
*Location Address:*  
116 West Jones Street  
Raleigh, North Carolina

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: HERTFORD

F02: HIGHWAYS AND ROADS

STATE NUMBER: 14-E-4220-0235  
DATE RECEIVED: 12/05/2013  
AGENCY RESPONSE: 01/01/2014  
REVIEW CLOSED: 01/06/2014



MS RENEE GLEDHILL-EARLEY  
CLEARINGHOUSE COORDINATOR  
DEPT OF CULTURAL RESOURCES  
STATE HISTORIC PRESERVATION OFFICE  
MSC 4617 - ARCHIVES BUILDING  
RALEIGH NC

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DENR - COASTAL MGT  
DENR LEGISLATIVE AFFAIRS  
DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
MID EAST COMMISSION

PROJECT INFORMATION

APPLICANT: N.C. Department of Transportation  
TYPE: National Environmental Policy Act  
Environmental Assessment

DESC: Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, TIP R-5311.

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:  NO COMMENT  COMMENTS ATTACHED

SIGNED BY:

Renee Gledhill-Earley

DATE:

12.19.13

*CH 11-1159*  
*sent 12/18/13*  
*await selected*  
*alternative -*  
*'NC' needed at*  
*this time*

*DEC 12/17/13 A-*

*DEC 1/3/14 H- [signature]*  
*12.19.13*

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

Carlos Moya F

COUNTY: HERTFORD

F02: HIGHWAYS AND ROADS

STATE NUMBER: 14-E-4220-0235  
DATE RECEIVED: 12/05/2013  
AGENCY RESPONSE: 01/01/2014  
REVIEW CLOSED: 01/06/2014

MS CARRIE ATKINSON  
CLEARINGHOUSE COORDINATOR  
DEPT OF TRANSPORTATION  
STATEWIDE PLANNING - MSC #1554  
RALEIGH NC

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DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
MID EAST COMMISSION

PROJECT INFORMATION

APPLICANT: N.C. Department of Transportation  
TYPE: National Environmental Policy Act  
Environmental Assessment

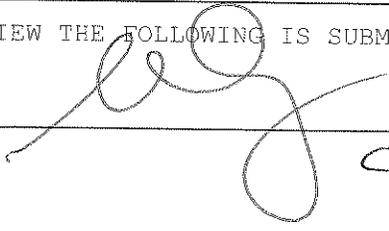
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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:  NO COMMENT  COMMENTS ATTACHED

SIGNED BY:

  
Carlos Moya

DATE: Dec. 13, 2013



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: HERTFORD

F02: HIGHWAYS AND ROADS

STATE NUMBER: 14-E-4220-0235

DATE RECEIVED: 12/05/2013

AGENCY RESPONSE: 01/01/2014

REVIEW CLOSED: 01/06/2014

CLEARINGHOUSE COORD REGION Q  
MID EAST COMMISSION  
1385 JOHN SMALL AVENUE  
WASHINGTON NC

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DENR LEGISLATIVE AFFAIRS  
DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
MID EAST COMMISSION

**PROJECT INFORMATION**

APPLICANT: N.C. Department of Transportation  
TYPE: National Environmental Policy Act  
Environmental Assessment

DESC: Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, TIP R-5311.

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:  NO COMMENT  COMMENTS ATTACHED

SIGNED BY:

Bryant Bueh

DATE: 12-11-13



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: HERTFORD

F02: HIGHWAYS AND ROADS

STATE NUMBER: 14-E-4220-0235

DATE RECEIVED: 12/05/2013

AGENCY RESPONSE: 01/01/2014

REVIEW CLOSED: 01/06/2014

MS CAROLYN PENNY  
CLEARINGHOUSE COORDINATOR  
CC&PS - DIV OF EMERGENCY MANAGEMENT  
FLOODPLAIN MANAGEMENT PROGRAM  
MSC # 4719  
RALEIGH NC

RECEIVED

DEC 10 2013

N.C. Floodplain Mapping Program

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DENR LEGISLATIVE AFFAIRS  
DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
MID EAST COMMISSION

**PROJECT INFORMATION**

APPLICANT: N.C. Department of Transportation  
TYPE: National Environmental Policy Act  
Environmental Assessment

DESC: Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, TIP R-5311.

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:  NO COMMENT  COMMENTS ATTACHED

SIGNED BY:

*Dawn Hechry*

DATE: 12/11/13

*NOT IN SFHA.*



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: HERTFORD

F02: HIGHWAYS AND ROADS

STATE NUMBER: 14-E-4220-0235

DATE RECEIVED: 12/05/2013

AGENCY RESPONSE: 01/01/2014

REVIEW CLOSED: 01/06/2014

MS ELIZABETH HEATH  
CLEARINGHOUSE COORDINATOR  
DEPT OF AGRICULTURE  
1001 MSC - AGRICULTURE BLDG  
RALEIGH NC

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DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
MID EAST COMMISSION



**PROJECT INFORMATION**

APPLICANT: N.C. Department of Transportation  
TYPE: National Environmental Policy Act  
Environmental Assessment

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:  NO COMMENT  COMMENTS ATTACHED

SIGNED BY:

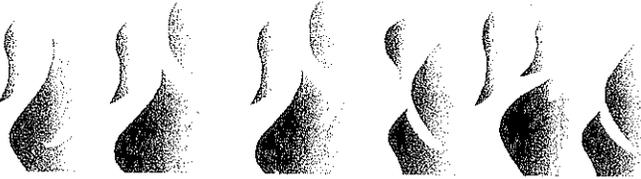
Elizabeth G. Heath

DATE:

12/17/13

# Don't Burn!

*Smoke from Outdoor Fires  
is Unhealthy to Breathe and  
Pollutes the Air*



There are a lot of misunderstandings about outdoor or open burning in North Carolina. Some people think it's OK to burn trash in barrels because they've always done it that way. It's not. Others think it's always OK to burn leaves and branches in the fall. But that's not so in cities and counties that pick up yard waste.

The N.C. Division of Air Quality enforces the state open burning rules and many local governments have additional restrictions on outdoor fires. Violating these rules can be expensive -- with fines as high as \$25,000 or more for serious cases or repeat violations.



## If It Doesn't Grow, Don't Burn It

The basic message of the state open burning rule is simple: Only leaves, branches and other plant growth can be burned – nothing else. That means no trash, lumber, tires or old newspapers. If local pickup is available, you can't burn even leaves and branches. Do not burn:

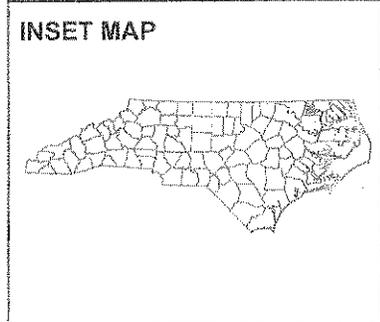
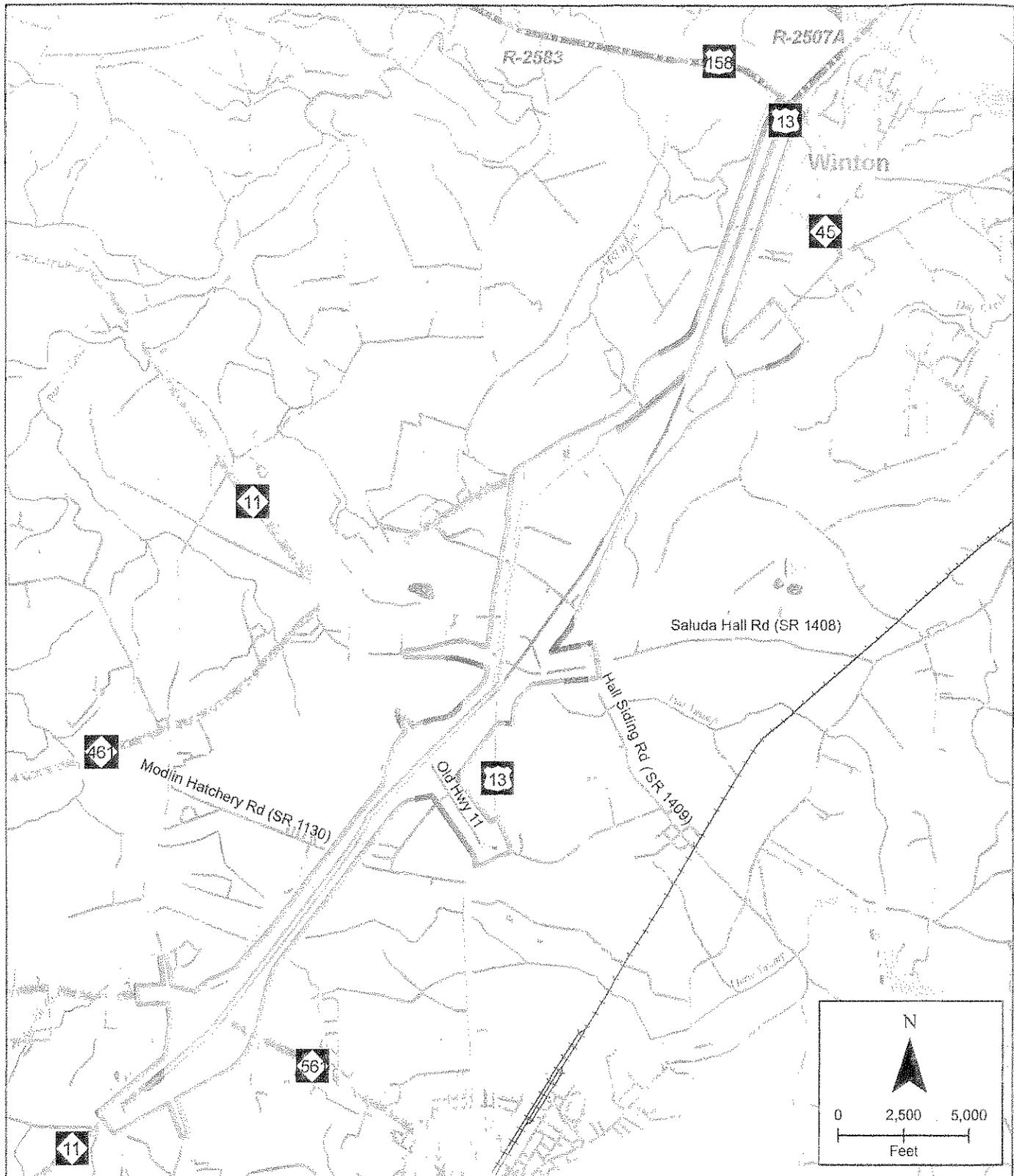
- Garbage, paper and cardboard
- Tires and other rubber products
- Building materials, including lumber and wood scraps
- Wire, plastics and synthetic materials
- Asphalt shingles and heavy oils
- Paints, household and agricultural chemicals
- Buildings, mobile homes and other structures
- Anything when the air quality forecast is Code Orange, Red or Purple

What is allowed under the law? Homeowners can burn yard trimmings if it's allowed under local ordinances, no public pickup is available and it doesn't cause a public nuisance. Yard waste must not include logs more than 6 inches in diameter and stumps. Other allowable burning includes campfires, outdoor barbecues and bonfires for festive occasions. Landowners or contractors also can burn vegetation to clear land or rights-of-way, provided that:

- Burning is done on the site of origin.
- Prevailing winds are away from built-up areas and roads. If winds are blowing towards public roads, fires must be at least 250 feet away.
- Fires are at least 500 feet away from occupied buildings.
- Burning is done between 8 a.m. and 6 p.m., and nothing is added outside of these hours.

Other occasions where open burning is allowed – with DAQ approval – include fires for: training fire-fighting personnel; managing forest lands or wildlife habitats; controlling agricultural diseases and pests; and disposing of materials generated by hurricanes, tornadoes and other natural disasters. You may need a permit from the N.C. Forest Service or local governments before you burn, even for allowable purposes. However, such permits do not excuse a person from following the DAQ's open-burning rules.





LEGEND	
	Study Area
	Municipal Limits
	Alternatives 1 and 6
	Alternatives 3 and 5
	US Route
	NC Route
	Secondary Roads
	TIP Projects

### Vicinity Map

TIP Project Number R-5311  
 Improvements to US 13/NC 11  
 from NC 11/NC 561 near Ahoskie  
 to US 13/US 158/NC 45 near Winton

	North Carolina Department of Transportation Project Development and Environmental Analysis Branch	Figure <b>1</b>
--	--	--------------------



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

MEMORANDUM

TO: Crystal Best  
State Clearinghouse

FROM: Lyn Hardison *Lyn*  
Division of Environmental Assistance and Customer Service  
Permit Assistance & Project Review Coordinator

RE: 14-0235 Environmental Assessment  
Proposed project is for the improvement to NC 11 and US 13 from NC 11/NC 561 near  
Ahoskie to US 13/NC 158/NC 45 near Winton, TIP No. R-5311  
Hertford County

Date: January 3, 2014

The Department of Environment and Natural Resources has reviewed the proposal for the reference project. Based on the information provided, our agencies have identified permits that may be required and offered specific comments. Please forward this memorandum and the attachments to the applicant for their review.

The Department encourages the applicant to consider the attached recommendations and continue to work with our agencies during the NEPA Merger Process

Thank you for the opportunity to respond.

Attachment

**Department of Environment and Natural Resources  
Project Review Form**

Project Number: 14-0235

County: Hertford

Date Received: 12/05/2013

**Due Date: 1/2/2014**

**Project Description:** Environmental Assessment - Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, TIP R-5311.

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville	<input checked="" type="checkbox"/> Air <i>RMB 12/18/13</i>	<input type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Coastal Management
<input type="checkbox"/> Fayetteville	<input checked="" type="checkbox"/> DWR-Surface Water <i>TCW 12-31-13</i>	<input checked="" type="checkbox"/> Parks & Recreation	<input checked="" type="checkbox"/> DCM-Marine Fisheries
<input type="checkbox"/> Mooresville	<input checked="" type="checkbox"/> DWR-Aquifer <i>WTH 12/19/13</i>	<input type="checkbox"/> Waste Mgmt	<input type="checkbox"/> Military Affairs
<input type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> DEMLR (LQ & SW)	<input type="checkbox"/> Water Resources Mgmt	<input type="checkbox"/> DMF-Shellfish Sanitation
<input checked="" type="checkbox"/> Washington	<input checked="" type="checkbox"/> UST <i>jsb 12/13/13</i>	<input type="checkbox"/> DWR-Public Water	<input type="checkbox"/> Wildlife
<input type="checkbox"/> Wilmington	<input checked="" type="checkbox"/> DWR-Public Water	<input type="checkbox"/> DWR-Water Quality Program	<input checked="" type="checkbox"/> Wildlife -- DOT <u>T. Wilson</u>
<input type="checkbox"/> Winston-Salem	<i>DET 12/20/13</i>	<input checked="" type="checkbox"/> DWR-Transportation Unit <u>D. Wainwright</u>	

Manager Sign-Off/Region:	Date:	In-House Reviewer/Agency:
--------------------------	-------	---------------------------

Response (check all applicable)

No objection to project as proposed.       No Comment

Insufficient information to complete review       Other (specify or attach comments)

If you have any questions, please contact:  
**Lyn Hardison at [lyn.hardison@ncdenr.gov](mailto:lyn.hardison@ncdenr.gov) or (252) 948-3842**  
**943 Washington Square Mall Washington NC 27889**  
**Courier No. 16-04-01**

**INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS**

Project Number: 14-0235 Due Date: 1-2-14

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/>	Permit to construct & operate Transportation Facility as per 15 A NCAC (2D.0800, 2Q.0601)	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.		
<input type="checkbox"/>	Complex Source Permit required under 15 A NCAC 2D.0800		
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input checked="" type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any are mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/>	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual bum is planned."	1 day (N/A)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)

PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee is charged based on structure size. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days N/A
<input type="checkbox"/>	401 Water Quality Certification	N/A	60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application	55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
<input type="checkbox"/>	Tar Pamlico or Neuse Riparian Buffer Rules required.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
* Other comments (attach additional pages as necessary, being certain to cite comment authority)			

### REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

**Asheville Regional Office**  
2090 US Highway 70  
Swannanoa, NC 28778  
(828) 296-4500

**Mooresville Regional Office**  
610 East Center Avenue, Suite 301  
Mooresville, NC 28115  
(704) 663-1699

**Wilmington Regional Office**  
127 Cardinal Drive Extension  
Wilmington, NC 28405  
(910) 796-7215

**Fayetteville Regional Office**  
225 North Green Street, Suite 714  
Fayetteville, NC 28301-5043  
(910) 433-3300

**Raleigh Regional Office**  
3800 Barrett Drive, Suite 101  
Raleigh, NC 27609  
(919) 791-4200

**Winston-Salem Regional Office**  
585 Woughtown Street  
Winston-Salem, NC 27107  
(336) 771-5000

**Washington Regional Office**  
943 Washington Square Mall  
Washington, NC 27889  
(252) 946-6481





**North Carolina Department of Natural and Cultural Resources**  
**State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Pat McCrory  
Secretary Susan Kluttz

Office of Archives and History  
Deputy Secretary Kevin Cherry

October 20, 2015

**MEMORANDUM**

**TO:** Matt Wilkerson  
Office of Human Environment  
NCDOT Division of Highways

**FROM:** Ramona M. Bartos *RM for Ramona M. Bartos*

**SUBJECT:** Addendum Archaeological Survey and Evaluation, NC 11 and US 13, NC 11/NC 561 near Ashoskie to US 13/NC 45 near Winston, R-5311; Hertford County, CH 11-1159

Thank you for your letter of September 10, 2015, transmitting the archaeological survey report by Coastal Carolina Research for the above project.

During the course of the survey, three sites were located within the project APE.

The following properties are determined not eligible for listing in the National Register of Historic Places (NRHP):

31HF285\*\*, 31HF286\*\*, lack of integrity

A portion of the third site, 31HF287\*\*, may lie outside the APE; however, that portion of the site within the APE is considered not eligible for the NRHP due to lack of integrity

A fourth site, the Keene Family Cemetery, was recorded outside the APE but within the project's overall location corridor. Subsequent to recording, it was assigned site number 31HF288\*\*. It is subject to the provisions of NC GS 65 should plans ever affect it.

Coastal Carolina Research has recommended that no further archaeological investigation be conducted in connection with this project. We concur with this recommendation since the project will not involve significant archaeological resources.

Should project plans change, please contact us.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or [environmental.review@ncdcr.gov](mailto:environmental.review@ncdcr.gov). In all future communication concerning this project, please cite the above referenced tracking number.

cc: [scpetersen@ncdot.gov](mailto:scpetersen@ncdot.gov)  
[susanbamann@ccrtarboro.com](mailto:susanbamann@ccrtarboro.com)



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Pat McCrory  
Governor

Dexter R. Matthews  
Director

John E. Skvarla, III  
Secretary

TO: Lyn Hardison, Environmental Coordinator

FROM: Scott Bullock, Regional UST Supervisor *JSB*

COPY: Robert Davies, Corrective Action Branch Head

COPY: Kathleen Lance, Administrative Secretary

DATE: December 13, 2013

RE: CDBG Environmental Review – Project Number 14-0235– Proposed project for the improvements to NC 11 and US 13 from NC11/NC 561 near Ahoskie to US 13/NC 158/NC 45 near Winton, NC

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases indicated the following petroleum releases are in the proposed project area (Incident Numbers 6643, 8903, 10675, 11114, 11171, 88120, 88266, and 93018). **There is the potential to encounter petroleum contaminated soils at those incident locations.** However, I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater. The following comments are pertinent to my review:

1. The Washington Regional Office (WaRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (252) 946-6481.
2. Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.
3. Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environment & Natural Resources – Division of Waste Management Underground Storage Tank Section in the Washington Regional Office at (252) 946-6481.
4. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosion or inhalation hazards exist. Also, notify the UST Section of the Washington Regional Office at (252) 946-6481. Petroleum contaminated soils must be handled in accordance with all applicable regulations.
5. Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (252) 946-6481.

If you have any questions or need additional information, please contact me at 252-948-3906.



North Carolina Department of Environment and Natural Resources  
Division of Water Resources  
Water Quality Programs  
Thomas A. Reeder  
Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

December 31, 2013

**MEMORANDUM**

**TO:** Lyn Hardison, Environmental Assistance Coordinator  
Department of Environment and Natural Resources

**FROM:** Harold M. Brady, SEPA Review Coordinator

**SUBJECT:** Environmental Review - Proposed project is for the improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 near Winton, in Hertford County; TIP R 5311; DENR#14-0235

Thank you for providing the Division of Water Resources (DWR) an opportunity to provide comments regarding proposed improvements to NC 11 and US 13 from NC 11/NC 561 near Ahoskie to US 13/NC158/NC 45 in Hertford County.

DWR has no objection to the proposed project, but offer the following comments from William Hart of the DWR Washington Regional Office:

1. The project material indicates that the proposed highway improvements will encounter an 8" PVC sewer line. Care should be taken to avoid any adverse impacts to any sewer collection systems encountered.

If you have any questions about this comment, please contact me at (919) 707-9005 or [harold.m.brady@ncdenr.gov](mailto:harold.m.brady@ncdenr.gov). Thank you.



North Carolina Department of Environment and Natural Resources

Division of Water Resources  
Water Quality Programs  
Thomas A. Reeder  
Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

December 30, 2013

**MEMORANDUM**

To: Lyn Hardison, Environmental Coordinator, Office of Legislative and Intergovernmental Affairs

From:  David Wainwright, Division of Water Resources, Central Office

Subject: Comments on the Environmental Assessment related to the proposed improvements to US 13/NC 11 from the NC 11/NC 561 intersection near Ahoskie to the US 13/158/NC 45 intersection near Winton, Hertford County, Federal Aid Project No. NHF-0013(37), TIP R-5311  
SCH#: 14-0235

This office has reviewed the referenced document dated November 2013. The NC Division of Water Resources (NCDWR) is responsible for the issuance of the Section 401 Water Quality Certification for activities that impact Waters of the U.S., including wetlands. It is our understanding that the project as presented will result in impacts to jurisdictional wetlands, streams, and other surface waters. The NCDWR offers the following comments based on review of the aforementioned document:

**Project Specific Comments:**

1. This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, the NCDWR will continue to work with the team.
2. All surface waters are class C: NSW waters of the State. NCDWR is very concerned with sediment and erosion impacts that could result from this project. NCDWR recommends that highly protective sediment and erosion control BMPs be implemented to reduce the risk of nutrient runoff to surface waters in the project area. NCDWR requests that road design plans provide treatment of the storm water runoff through best management practices as detailed in the most recent version of NCDWR's *Stormwater Best Management Practices*.

**General Comments:**

3. After the selection of the preferred alternative and prior to issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands and streams to the maximum extent practical. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 1 acre to wetlands or impacts greater than 150 linear feet to any single stream. In the event that mitigation is required, the

Transportation and Permitting Unit  
1550 Mail Service Center, Raleigh, North Carolina 27699-1650  
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604  
Phone: 919-807-6300 | FAX: 919-733-1290  
Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

One  
North Carolina  
*Naturally*

mitigation plan shall be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as wetland mitigation.

4. Future documentation, including the 401 Water Quality Certification Application, should continue to include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.
5. The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater shall not be permitted to discharge directly into streams or surface waters.
6. Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require an Individual Permit (IP) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from the NCDWR. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.

The NCDWR appreciates the opportunity to provide comments on your project. Should you have any questions or require any additional information, please contact David Wainwright at (919) 707-8787 or David.Wainwright@ncdenr.gov.

cc: Tracey Wheeler, US Army Corps of Engineers, Washington Field Office (electronic copy only)  
Clarence Coleman, Federal Highway Administration (electronic copy only)  
Chris Militscher, Environmental Protection Agency (electronic copy only)  
Travis Wilson, NC Wildlife Resources Commission (electronic copy only)  
Cathy Brittingham, Division of Coastal Management (electronic copy only)  
Garcy Ward, NCDWR Washington Regional Office (electronic copy only)  
File Copy



## ☒ North Carolina Wildlife Resources Commission ☒

Gordon Myers, Executive Director

### MEMORANDUM

TO: Lyn Hardison, Environmental Assistance Coordinator  
Division of Environmental Assistance and Outreach, DENR

FROM: Travis Wilson, Highway Project Coordinator  
Habitat Conservation Program 

DATE: December 30, 2013

SUBJECT: North Carolina Department of Transportation (NCDOT) Environmental Assessment (EA) for the proposed improvements to NC 11 and US 13, Hertford County, North Carolina. TIP No. R-5311, SCH Project No. 14-0235.

Staff biologists with the N. C. Wildlife Resources Commission have reviewed the subject EA and are familiar with habitat values in the project area. The purpose of this review was to assess project impacts to fish and wildlife resources. Our comments are provided in accordance with certain provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

NCDOT is proposing to improve NC 11 and US 13 from just south of the NC 561 intersection with NC 11 to the US 13 interchange at US 158 and NC 45. This project is being planned under the NEPA/Section 404 Merger 01 process. WRC is represented in this process and comments provided in conjunction with this process have been documented. We do not have any specific comments on the document; however we will continue to assess the impacts associated with the remaining alternatives in preparation for the selection of the LEDPA and for further avoidance and minimization measures. Thank you for the opportunity to comment on this EA. If we can be of any further assistance please call me at (919) 707-0370.

cc: Gary Jordan, USFWS  
David Wainwright, DWQ  
Tracy Wheeler, USACE  
Chris Militscher, USEPA  
Cathy Brittingham, DCM

## **APPENDIX B**

### **NEPA / 404 MERGER PROCESS CONCURRENCE FORMS**

# NEPA/404 MERGER TEAM MEETING AGREEMENT

## Concurrence Point No. 4A: Avoidance and Minimization

### PROJECT NO./TIP NO./ NAME/DESCRIPTION:

Federal Aid Project Number: NHF-0013(37)  
State Project Number: WBS Element 45449.1.1  
TIP Project Number: R-5311  
TIP Description: Improvements to US 13 / NC 11 from NC 11 / NC 561 to US 13 / US 158 / US 45 in Hertford County

### LEDPA/Recommended Alternative: Alternative 1

#### Avoidance and Minimization:

As presented at CP4A, August 19, 2015, Alternative 1 minimizes impacts to resources. However, it is not feasible for the project to completely avoid impacts to the Waters of the US and still meet the purpose and need of the project. The following avoidance and minimization efforts have been incorporated into the proposed project:

#### Section 404 Avoidance and Minimization Measures

Reduction of interchange ramp loops from 250' radius to 230' radius at the intersections of NC 11 / NC 561 (1.1 acres wetland reduction) and NC 11 / SR 1212 (Shortcut Road) (0.8 acre wetland reduction); elimination of the proposed connection of US 13 to SR 1131 (Saluda Hall Road) (5.5 acres of wetland reduction); realignment of the proposed connection of existing US 13 to SR 1408 (Saluda Hall Road) (0.2 acre wetland reduction); and realignment of the new location portion of the proposed mainline (US 13) (0.8 acre wetland reduction). Total impacts to wetlands are reduced by 8.3 acres.

The Project Team concurred on this date of 8/19/15 with CP4A (Avoidance and Minimization).

US Army Corps of Engineers

Tracy L. Wheeler

US Environmental Protection Agency

Gytha J. VanDerWiele

US Fish and Wildlife Service

Gary Jordan

National Marine Fisheries Service

NC Wildlife Resources Commission

[Signature]

NC Department of Cultural Resources

Renee Medhill-Easley

NC Division of Water Quality

Robert Pollock

NC Division of Coastal Management

Cott Brittingham

NC Department of Transportation

Kim L. Gillespie

Federal Highway Administration

[Signature]

Permit Belt Rural Planning Organization

[Signature]

# NEPA/404 MERGER TEAM MEETING AGREEMENT

## Concurrence Point No. 4A: *Avoidance and Minimization*

### PROJECT NO./TIP NO./ NAME/DESCRIPTION:

Federal Aid Project Number: NHF-0013(37)  
State Project Number: WBS Element 45449.1.1  
TIP Project Number: R-5311  
TIP Description: Improvements to US 13 / NC 11 from NC 11 / NC 561 to US 13 / US 158 / US 45 in Hertford County

### LEDPA/Recommended Alternative: Alternative 1

#### Avoidance and Minimization:

As presented at CP4A, August 19, 2015, Alternative 1 minimizes impacts to resources. However, it is not feasible for the project to completely avoid impacts to the Waters of the US and still meet the purpose and need of the project. The following avoidance and minimization efforts have been incorporated into the proposed project:

#### Section 404 Avoidance and Minimization Measures

Reduction of Interchange ramp loops from 250' radius to 230' radius at the intersections of NC 11 / NC 561 (1.1 acres wetland reduction) and NC 11 / SR 1212 (Shortcut Road) (0.8 acre wetland reduction); elimination of the proposed connection of US 13 to SR 1131 (Saluda Hall Road) (5.5 acres of wetland reduction); realignment of the proposed connection of existing US 13 to SR 1408 (Saluda Hall Road) (0.2 acre wetland reduction); and realignment of the new location portion of the proposed mainline (US 13) (0.8 acre wetland reduction). Total impacts to wetlands are reduced by 8.3 acres.

The Project Team concurred on this date of 8/19/15 with CP4A (Avoidance and Minimization).

US Army Corps of Engineers

Tracy Wheeler

US Environmental Protection Agency

US Fish and Wildlife Service

Gary Jordan

National Marine Fisheries Service

Fredy Balde

NC Wildlife Resources Commission

NC Department of Cultural Resources

NC Division of Water Quality

Robert Roberts

NC Division of Coastal Management

Cott Buckingham

NC Department of Transportation

King L. Gillespie

Federal Highway Administration

Ronald G. Lee

Peasant Belt Rural Planning Organization

Justin Cook

# NEPA/404 MERGER TEAM MEETING AGREEMENT

## Concurrence Point No. 3: *Least Environmentally Damaging Practicable Alternative (LEDPA)*

Federal Aid Project Number: NHF-0013(37)  
 State Project Number: WBS Element 45449.1.1  
 TIP Project Number: R-5311  
 Description: Improvements to US 13 / NC 11 from NC 11/ NC 561 to US 13 / US 158 / US 45 in Hertford County

Following review of the Detailed Study Alternatives presented in the Environmental Assessment, the NEPA/Section 404 Merger Team has concluded the alternative identified below is the Least Environmentally Damaging Practicable Alternative.

Alternative 1    X\*    ~~Alternative 3~~                      ~~Alternative 5~~                      ~~Alternative 6~~

\*During final design, NCDOT will investigate interchange designs to reduce wetland impacts.

The Project Team concurred the above identified alternative is the Least Environmentally Damaging and Practicable Alternative.

US Army Corps of Engineers

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*Tracey Wheeler* 04/13/2015  
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US Environmental Protection Agency

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US Fish and Wildlife Service

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NC Wildlife Resources Commission

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NC Department of Transportation

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NC Division of Coastal Management

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*Cathy Britton* /15  
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Peanut Belt RPO

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*Justin Oakes* 4/9/2015  
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# NEPA/404 MERGER TEAM MEETING AGREEMENT

## Concurrence Point No. 2A: Bridging Decisions & Alignment Review

**PROJECT INFORMATION:**

Federal Aid Project Number: NHF-0013(37)  
 State Project Number: WBS Element 45449.1.1  
 TIP Project Number: R-5311  
 TIP Description: Improvements to US 13/NC 11 from NC 11/ NC 561 to US 13/US 158/US 45 in Hertford County

The Project Team concurred on this date of June 18, 2012 that the only major hydraulic structures on this project will be those listed in Table 1 below. All other structures are anticipated to have hydraulic openings of 72-inches or less.

**Table 1: Hydraulic Structure Recommendations**

Stream	Station	Alternative	Existing Structure	Recommended Structure	Stream Impacts (linear feet)
SZ	82+40	All	3 @ 48-inch RCP	Retain & extend	165
Mill Branch	309+48	3 & 5	2 @ 48-inch RCP	Minimum required hydraulic structure	255

RCP – reinforced concrete pipe  
 RCBC – reinforced concrete box culvert

US Army Corps of Engineers

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*Tracey W. Wilson* 09/05/2013  
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US Environmental Protection Agency

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*Chris Mitchell* 09/04/2013  
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US Fish and Wildlife Service

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*Gary Jordan* 09/05/2013  
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National Marine Fisheries Service

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*Fritz Rolude* 09/05/2013  
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Federal Highway Administration

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*Ronald Lucas* 09/05/2013  
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NC Wildlife Resources Commission

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*Travis W. Wilson* 09/04/2013  
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NC Department of Cultural Resources

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*Renee Gledhill-Earley*  
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NC Division of Water Resources

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*David Wainwright* 09/05/2013  
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NC Division of Coastal Management

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NC Division of Marine Fisheries

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NC Department of Transportation

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Peanut Belt Rural Planning Organization

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# NEPA/404 MERGER TEAM MEETING AGREEMENT

## REVISED – Concurrence Point No. 2: Design Options for Detailed Study

**PROJECT NO./TIP NO./ NAME/DESCRIPTION:**

Federal Aid Project Number: NHF-0013(37)  
 State Project Number: WBS Element 45449.1.1  
 TIP Project Number: R-5311  
 TIP Description: Improvements to US 13 / NC 11 from NC 11/ NC 561 to US 13 / US 158 / US 45 in Hertford County

The Project Team concurred on this date of September 19, 2012 that the following alternatives (as indicated in the right column) be carried forward for detailed study.

Alternative	Typical Section	Location	Facility Type	Control of Access	Intersection/Interchange Descriptions	Yes/No
Alternative 1	Four-lane divided	Part on new location*	Freeway	Full	Interchanges at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461	Yes
Alternative 2	Four-lane divided	Existing location	Freeway	Full	Interchanges at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461	No
Alternative 3	Four-lane divided	Existing location	Expressway	Partial	Interchanges at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461	Yes
Alternative 4	Two-lane undivided	Existing location	Expressway	Partial	Interchanges at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461; no widening	No
Alternative 5	Four-lane divided	Existing location	Superstreet	Partial	Conversion of intersections to superstreet at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461	Yes
Alternative 6	Four-lane divided	Part on new location*	Superstreet on existing, Freeway on new location	Partial	Conversion of intersections to superstreet at NC 11/NC 561, SR 1212/SR 1213, US 13/NC 461	Yes

\*The new location segment would extend from US 13/SR 1212 (Shortcut Road) to US 13/NC 461, east of existing US 13.

US Army Corps of Engineers

William J. Billecane 9/19/12

US Environmental Protection Agency

Don Ar 9/19/12

US Fish and Wildlife Service

Hany Jordan 9/19/2012

NC Wildlife Resources Commission

[Signature] 9-19-2012

NC Department of Cultural Resources

Renee Hedrick-Earley 9/19/12

NC DENR, Division of Water Quality

[Signature] 9/19/12

NC Department of Transportation

Alexis K. Gillespie 9/19/12

Federal Highway Administration

NC Division of Coastal Management

Peanut Belt RPO

NC DENR, Division of Marine Fisheries

*Red [Signature] 9/19/12*  
*Cathy Buttingham 9/19/12*  
*Justin Ocker 9/20/12*

# NEPA/404 MERGER TEAM MEETING AGREEMENT

## Concurrence Point No. 1: Purpose and Need

**PROJECT NO./TIP NO./ NAME/DESCRIPTION:**

Federal Aid Project Number: NHF-0013(37)  
 State Project Number: WBS Element 45449.1.1  
 TIP Project Number: R-5311  
 TIP Description: US 13/NC 11 from the NC 11-561 intersection to the US 13-158/  
 NC 45 intersection, Hertford County

The Project Team concurred on this date of September 14, 2011 with the purpose of and need for the proposed project as stated below and the project study area as described below and shown in the attached exhibit.

Purpose and Need of Proposed Project

The purpose of this project is to improve the safety of the NC 11/US 13 corridor between the NC 11-561 intersection and the US 13-158/NC 45 intersection in Hertford County.

<u>NAME</u>		<u>AGENCY</u>
<u>Harry Jordan</u>	9/14/2011	<u>USFWS</u>
<u>Tommas Wilson</u>	9-14-2011	<u>NCWRC</u>
<u>[Signature]</u>	9-14-11	<u>USEPA</u>
<u>William J. Biddlecome</u>	9/14/11	<u>USACE</u>
<u>[Signature]</u>	9/14/11	<u>NCDWQ</u>
<u>Cath Brittingham</u>	9/14/11	<u>DCM</u>
<u>Renee Medkell-Easley</u>	9/14/11	<u>SHPO/DCR</u>
<u>Ron Luccy</u>		<u>FHWA</u>
<u>Allyn K. Gillespie</u>		<u>NC DOT</u>

## **APPENDIX C**

### **FARMLAND CONVERSION (NRCS FORM AD-1006)**

U.S. Department of Agriculture

## FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request 8/2/13			
Name Of Project R-5311: Improvements to US13 and NC11		Federal Agency Involved FHWA/NC DOT			
Proposed Land Use Transportation - Highway Improvements		County And State Hertford, North Carolina			
<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS 8/5/13			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply -- do not complete additional parts of this form).</i>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated 0	Average Farm Size 482C
Major Crop(s) Corn	Farmable Land In Govt. Jurisdiction Acres: 184173	% 81		Amount Of Farmland As Defined in FPPA Acres: 178781 % 79	
Name Of Land Evaluation System Used Hertford LE	Name Of Local Site Assessment System None	Date Land Evaluation Returned By NRCS 8/23/13 by RHB			
<b>PART III (To be completed by Federal Agency)</b>		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly		77.6	100.4	98.4	61.8
C. Total Acres In Site		77.6	100.4	98.4	61.8
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>					
A. Total Acres Prime And Unique Farmland		10.5	23.4	42.9	8.3
B. Total Acres Statewide And Local Important Farmland		67.2	77.0	75.5	53.5
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0.0	0.1	0.1	0.0
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		58.1	40.8	40.8	58.1
<b>PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)</b>		47	57	0	0
<b>PART VI (To be completed by Federal Agency)</b> Site Assessment Criteria <i>(These criteria are explained in 7 CFR 658.5(b))</i>		Maximum Points			
1. Area In Nonurban Use		15	15	15	15
2. Perimeter In Nonurban Use		10	10	9	10
3. Percent Of Site Being Farmed		20	17	14	17
4. Protection Provided By State And Local Government		20	0	0	0
5. Distance From Urban Builtup Area		0	0	0	0
6. Distance To Urban Support Services		0	0	0	0
7. Size Of Present Farm Unit Compared To Average		10	6	9	6
8. Creation Of Nonfarmable Farmland		25	25	25	25
9. Availability Of Farm Support Services		5	5	5	5
10. On-Farm Investments		20	15	15	15
11. Effects Of Conversion On Farm Support Services		25	0	0	0
12. Compatibility With Existing Agricultural Use		10	1	1	1
<b>TOTAL SITE ASSESSMENT POINTS</b>		160	94	93	88
<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland <i>(From Part V)</i>		100	47	57	0
Total Site Assessment <i>(From Part VI above or a local site assessment)</i>		160	94	93	88
<b>TOTAL POINTS (Total of above 2 lines)</b>		260	141	150	88

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Reason For Selection: